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THE LIFE  
OF  
JOHN J. CRITTENDEN.

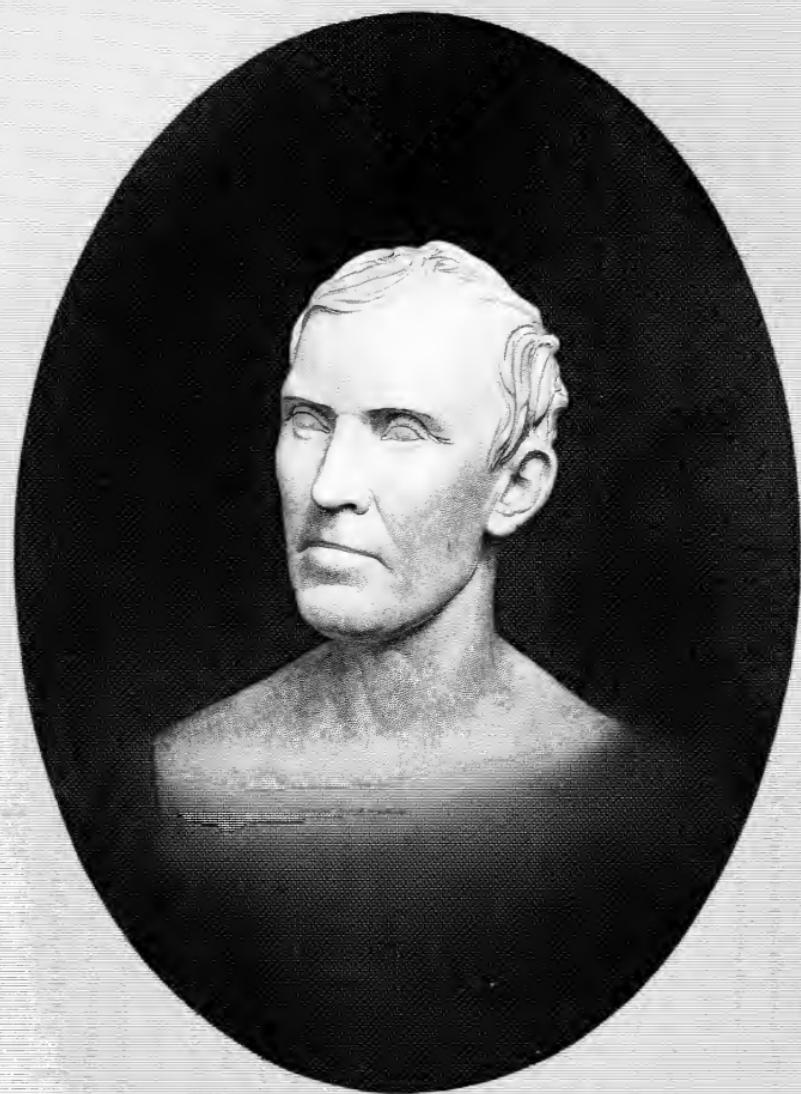


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THE LIFE  
OF  
JOHN J. CRITTENDEN,

WITH SELECTIONS FROM

HIS CORRESPONDENCE AND SPEECHES

EDITED BY HIS DAUGHTER,  
MRS. CHAPMAN COLEMAN.

IN TWO VOLUMES.

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*VOL. II.*

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PHILADELPHIA:  
J. B. LIPPINCOTT & CO.  
1871.

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LIFE  
OF  
JOHN J. CRITTENDEN.

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CHAPTER I.

1851.

Letters from General Persifer Smith, Jared Sparks, John M. Clayton—Letter of Crittenden (then Acting Secretary of State, during illness of Mr. Webster) to M. de Sartiges, Minister from France in 1851, on the subject of an Order of the French Government to prevent by Force Adventurers from any Nation landing on the Island of Cuba with hostile Intent—Letter from James E. Harvey, and Reply of Mr. Crittenden—Letter to Leslie Coombs and O. Brown.

(General Persifer Smith to J. J. Crittenden.)

PHILADELPHIA, July 13, 1851.

DEAR SIR,—I have just come on from Washington, and am waiting here to “*get a feather in my cap.*” I will leave here for New York on Wednesday, the 16th, and be in New York on the 18th or the 19th, according to the will of the steam-boat. I prefer going to Boston on the 20th to see my sister, and to go from there to Troy on the 22d, in conformity with our engagement with Hector, “*Troy’s great chief.*” All this is subject to your approval, for, until I get you the other side of the *Temps*, I shall assume no authority. Indeed, it would be prudent for me to find out whether you are not stronger on the water than on land. But, if I remember anything about a blue bottle,—

The water’s not the field you’ll  
Beat Scott, Wool, and Cass on,  
Though a river is the bridge  
That you expect to pass on.

I will go to the Atlantic Hotel, in Frankfort, where I hope to find your address, that I may pay my respects to you and learn your prospects.

(9)

The Rifle Regiment arrived at New Orleans on the 8th, though I have no letters, as I am expected there now.

Yours very sincerely,

Hon. J. J. CRITTENDEN.

PERSIFER SMITH.

(Jared Sparks to J. J. Crittenden.)

HARVARD UNIVERSITY, CAMBRIDGE, September 11, 1851.

DEAR SIR,—I shall forward to you by express to-morrow a diploma of the honorary degree of Doctor of Laws, conferred on you by the government of this University at the last Commencement.

Will you have the goodness to inform me whether it reaches you safely?

I am, sir, very respectfully yours,

Hon. J. J. CRITTENDEN.

JARED SPARKS.

(John M. Clayton to J. J. Crittenden.)

BUENA VISTA, DELAWARE, October 8, 1851.

MY DEAR CRITTENDEN,—Square yourself, for I have a favor to ask of you for one of my friends. Don't knit your brows, nor utter one of those significant snorts which you are accustomed to give when reading anything unpleasant, especially an application for an office. I must have what I am about to ask for, and if you grant it I will give you a receipt in full, and do you be thankful that I let you off so easily; for the appointment I want is no great affair, and it will do more to make the administration popular in this section of the country than any other appointment they could make.

I want you to obtain a promise from President Fillmore to appoint Charles I. Dupont, Jr., a purser in the navy of the United States, on the happening of the first vacancy.

Now, if I had you with me, just seated in the arm-chair opposite my table, I would talk to you in my own peculiar and *sensible way*; and I would give you such reasons as would start you right off to obtain the promise of this appointment. Deprived, as I am, of the influence of my colloquial eloquence, which was always deservedly great upon you, I shall present my wishes in less vivid colors and with much more feeble power by the aid of my pen.

I have often boasted to you of the Dupont family of Delaware; I have told you how proud I was of their friendship, and therefore I need not repeat to you the story of their merits. Eleuthere Irene Dupont and Victor Dupont, sons of one of the most virtuous and distinguished noblemen of France, both narrowly escaped the malice of Robespierre and the deadly hostility

of the Jacobins during the French Revolution, and emigrated to this country and settled on the banks of the Brandywine, where, by their industry and talents, they converted what was but a rocky desert into one of the most beautiful and enchanting portions of our country. No men were more beloved and honored in their day, and it has always been with me a source of high gratification, amidst the struggles of this life, to reflect that I enjoyed their friendship and kind regard. Each of these left a family, whose sons are all highly esteemed and beloved in Delaware for their own virtues. Victor left two sons,—Charles I. Dupont, the celebrated manufacturer of the Brandywine, known to you as *your* friend, and Captain S. F. Dupont, one of the most distinguished officers of our navy. Young Dupont, the applicant, is the son of Charles. He is a young man of the finest qualities of heart and head, well educated, moral, temperate, and industrious, of business habits, and possessing the same character, integrity, and honor which mark every member of the family, without an exception.

Now, my dear Crittenden, these Duponts have spent a fortune for the Whig party, and have never received a favor from it, for they never desired any,—they have been the chief prop and support of our party ever since its origin; they did more to build it up, originally, than any other family in the State, and but for their powerful influence we should have sent two Locofoco senators to Congress for the last twenty years.

Charles has now set his heart upon the appointment of his son as a purser, and he is sustained in this application not only by the just influence of his relatives and personal friends, but by all the Whigs of the State and the friends of the administration, who feel that they owe more and have paid less to these Duponts than to any other family.

I think I am boring you with some things as well known to you as to me; let me, therefore, cut my letter short by begging you, as soon as you have read this letter, to go down and see the President, and tell him he would do more to gratify his friends by this little appointment than he could by a full mission abroad. Take a glass of Bourbon whisky before you start; call on Graham, and get him to go along with you, and do not leave the President until you get a promise that young Dupont shall have the first vacancy. This little appointment will do more to enable us to redeem the State at the next election than anything else the President could do for us.

I am, dear Crittenden, faithfully yours,

JOHN M. CLAYTON.

(John M. Clayton to J. J. Crittenden.)

BUENA VISTA, DELAWARE, October 27, 1851.

MY DEAR CRITTENDEN,—I see our friend Conrad has ordered my nephew, James C. Douglass, to the Portsmouth sloop of war, about to go to the Pacific. I am convinced that a voyage round the Horn would finish him now. Any ship going to a mild climate would save his life. I have lost all my children, and this nephew is nearly the only relation I have in the world. Do ask Conrad to order him to another ship. I believe if he goes to the Pacific I shall never see him again. Hurrah for the new Secretary of State! You have done nobly. If Mr. Webster shall resign I will lend you my countenance now to be his *permanent* successor. I pray that if the office shall become vacant you may take it. If you do accept it, the Whigs will rally on Mr. Fillmore. As soon as I hear of your appointment I shall go to Washington to apprise you of some things. Do not refuse if you have any regard for the Whig party. If you reject it, the party will not rally. Mr. Webster is going to Washington *avowedly* to resign before the session of Congress. Do not reject the permanent appointment of Secretary of State, unless you have resolved to see your friends in the dust, your party in ashes.

I tell you that you are the *connecting link* between the Whigs of Pennsylvania and Mr. Fillmore. I would be *your man of work*, without pay or clerk hire. The department would be right side up in three months. Now recollect that you were the man who induced me to accept this office. I have a right, therefore, to ask you to accept it.

Hon. J. J. CRITTENDEN.

Ever yours,  
J. M. CLAYTON.

In 1851 Mr. Webster was Secretary of State and Mr. Crittenden Attorney-General in Mr. Fillmore's cabinet. Mr. Webster's health failed, and he was compelled for awhile to withdraw from Washington, and during this time Mr. Crittenden was acting Secretary of State. At that time an expedition of about five hundred men escaped from New Orleans, and landed upon the island of Cuba. They were soon captured, and many of them executed, and M. Sartiges, minister of France, communicated to the United States government that the French government had issued orders to its ships of war to *prevent by force* any adventurers of any nation from landing with hostile intent on the island of Cuba. The British government gave notice also to the State Department that it had issued similar

orders to its naval force. The following is the letter addressed by Mr. Crittenden (then acting Secretary of State) to M. Sartiges. A distinguished gentleman who has occupied a high position in this government has written to me that this diplomatic letter was pronounced perfect in tone and style, and would compare favorably with any paper which had ever emanated from the State Department:

DEPARTMENT OF STATE, WASHINGTON, October 22, 1851.

The undersigned, acting Secretary of State of the United States, has the honor to remind M. de Sartiges, envoy extraordinary and minister plenipotentiary of the French republic, that in the interview which he had with him on the 8th instant, he stated that he might have occasion to address him in writing on the subject of the information which M. de Sartiges then communicated, that the French government had issued orders to its ships of war, then in the West Indies, to give assistance to Spain, and to prevent by force any adventurers of any nation from landing with hostile intent on the island of Cuba. Having imparted that information to the President, the undersigned has now the honor, by his direction, to address M. de Sartiges in regard to it.

M. de Sartiges is apprised that a few days prior to the interview adverted to the chargé d'affaires of her Britannic Majesty had given to this department official notice that his government had issued similar orders to its naval forces. The President had regarded this as a matter of grave importance, but its gravity is greatly increased by the concurrence and co-operation of France in the same measure. It cannot be doubted that those orders have been occasioned by the recent unlawful expedition of less than five hundred men, which, having evaded the vigilance of this government, and escaped from New Orleans, were landed by the steamer Pampero upon the island of Cuba, and were soon captured, and many of them executed. That such an incident should have incited the combined action of two great European powers, for an object to which neither of them is a *direct* party, and in a manner that may seriously affect the people of the United States, cannot fail to awaken the earnest consideration of the President.

He cannot perceive the necessity or propriety of such orders, while he entertains the strongest apprehensions that their execution by French and British cruisers will be attended with injurious and dangerous consequences to the commerce and peace of the United States. They cannot be carried into effect

without a visitation, examination, and consequent detention of our vessels on our shores, and in the great channels of our coasting trade, and this must invest British and French cruisers with the jurisdiction of determining, in the first instance at least, what are the expeditions denounced in their orders, and who are the guilty persons engaged in them. It is plain, however different may have been the intentions of the respective governments, that the exercise of such a power and jurisdiction could hardly fail to lead to abuses and collisions perilous to the peace that now so happily prevails. By such an interference those governments seem to assume an attitude unfriendly to the United States. The President will not, however, allow himself to believe that this intervention has been intended as an admonition or reproach to his government. He has signally manifested his condemnation of all such lawless enterprises, and has adopted active measures for their prevention and suppression. It must also be known to the governments of France and England, in common with all the world, that this government, since it took its place among nations, has carefully preserved its good faith, and anxiously *endeavored* to fulfill all its obligations, conventional and national. And *this* it has done from motives far above any apprehensions of danger to itself. From its beginning, under the present Constitution, it has sedulously cultivated the policy of peace, of not intermeddling in the affairs of others, and of preventing by highly penal enactments any unlawful interference by its citizens to disturb the tranquillity of countries with which the United States were in amity. To this end many such enactments have been made, the first as early as the year 1794, and the last as late as 1838. The last having expired by its own limitation, and all the preceding legislation on the subject having been comprehended in the act of Congress of the 20th of April, 1818, it is unnecessary to do more than to refer M. de Sartiges to its provisions as marking the signal anxiety and good faith of this government to restrain persons within its jurisdiction from committing any acts inconsistent with the rights of others, or its own obligations. These laws were intended to comprehend, and to protect from violation, all our relations with and duties to countries at peace with us, and to punish any violations of them by our citizens as *crimes* against the *United States*. In this manifestation of its desire to preserve just and peaceful relations with all nations, it is believed that the United States have gone before and *further* than any of the older governments of Europe. Without recapitulating all the provisions of those laws by which the United States have so carefully endeavored to prohibit every act that could be justly offensive to their neighbors, it is deemed enough for this occa-

sion to say that they *denounce* all such enterprises or expeditions as those against which the orders in question are directed.

The undersigned thinks it is of importance enough to call the attention of M. de Sartiges more directly to this law. A literal copy of it is accordingly herewith communicated. Besides the ordinary legal process, it authorizes the President to employ the military and naval forces of the country for the purpose of preventing such expeditions and arresting for punishment those concerned in them. In the spirit of this law, the President condemns such expeditions against the island of Cuba as are denounced by the orders in question, and has omitted nothing for their detection and prevention. To that end he has given orders to civil, naval, and military officers from New York to New Orleans, and has enjoined upon them the greatest vigilance and energy. This course on the subject has been in all things *clear* and *direct*. It has been no secret, and the undersigned must presume that it has been fully understood and known by M. de Sartiges. An appeal might confidently be made to the vigilant and enlightened minister of Spain that his suggestions for the prevention of such aggressions, or the prosecution of offenders engaged in them, have been promptly considered, and, *if found* reasonable, adopted by the President; his course, it is believed, has been above all question of just cause of complaint. This government is determined to execute its laws, and in the performance of this duty can neither ask nor receive foreign aid. If, notwithstanding all its efforts, expeditions of small force hostile to Cuba have, in a single vessel or steamer, excited by Cubans themselves, escaped from our extensive shores, such an accident can furnish no ground of imputation either upon the law or its administration. Every country furnishes instances enough of infractions and evasions of its laws, which no power or vigilance can effectually guard against. It need not be feared that any expeditions of a lawless and hostile character can escape from the United States of sufficient force to create any alarm for the safety of Cuba, or against which Spain might not defend it with the slightest exertion of her power. The President is persuaded that none such can escape detection and prevention, except by their insignificance. None certainly can escape which could *require* the combined aid of France and England to resist or suppress. Cuba will find a sure, if not its *surest*, protection and defense in the justice and good faith of the United States.

There is another point of view in which this intervention on the part of France and England cannot be viewed with indifference by the President. The geographical position of the island of Cuba in the Gulf of Mexico, lying at no great distance

from the mouth of the river Mississippi and in the line of the greatest current of the commerce of the United States, would become, in the hands of any powerful European nation, an object of just jealousy and apprehension to the people of this country. A due regard to their own safety and interest must, therefore, make it a matter of importance to them *who* shall possess and hold dominion over that island. The government of France and those of other European nations were long since officially apprised by this government that the United States could not see, without concern, that island transferred by Spain to any other European state; President Fillmore fully *concurs* in that sentiment, and is apprehensive that the sort of *protectorate* introduced by the orders in question might, in contingencies not difficult to be imagined, lead to results equally objectionable. If it should appear to M. de Sartiges that the President is too apprehensive on this subject, this must be attributed to his great solicitude to guard friendly relations between the two countries against all contingencies and causes of disturbance. The people of the United States have long cherished towards France the most amicable sentiments, and recent events which made her a republic have opened new sources of fraternal sympathy. Harmony and confidence would seem to be the natural relations of the two great republics of the world, relations demanded no less by their permanent interests than by circumstances and combinations in *continental* Europe, which now seem to threaten so imminently the cause of free institutions. The United States have nothing to fear from those convulsions, nor are they *propagandists*, but they have at heart the cause of freedom in all countries, and believe that the example of the two great republics of France and America, with their moral and social influences, co-operating harmoniously, would go far to promote and to strengthen that cause. It is with these views that the President so much desires the cultivation of friendly feelings between the two countries, and regards with so much concern any cause that may tend to produce collision or alienation. He believes that this Cuban intervention is such a cause. The system of government which prevails most generally in Europe is adverse to the principles upon which this government is founded, and the undersigned is well aware that the difference between them is calculated to produce distrust of, if not *aversion* to, the government of the United States. Sensible of this, the people of this country are naturally jealous of European interference in American affairs. And although they would not impute to France, now herself a republic, any participation in this distrustful and unfriendly feeling towards their government, yet the undersigned must repeat, that her intervention in this instance,

if attempted to be executed, in the only practicable mode for its effectual execution, could not fail to produce some irritation, if not *worse* consequences. The French cruisers sailing up and down the shores of the United States to perform their needless task of protecting Cuba, and their ungracious office of *watching* the people of this country as if they were fruitful of *piracies*, would be regarded with some feelings of resentment, and the *flag* they bore—a flag which should always be welcome to the sight of Americans—would be looked at as casting a shadow of unmerited and dishonoring suspicion upon them and their government. The undersigned will add that all experience seems to prove that the rights, interests, and peace of the continents of Europe and America will be best preserved by the forbearance of each to interfere in the affairs of the other. The government of the United States has constantly acted on that principle, and has never intermeddled in European questions. The President has deemed it proper to the occasion that his views should be thus fully and frankly presented for the friendly *consideration* of M. de Sartiges and his government, in order that all possible precautions may be used to avert any *misunderstanding*, and every cause or consequence that might disturb the peace or alienate, in the least, the sentiments of confidence and friendship which now bind together the republics of the United States and France. The undersigned avails himself of this occasion to offer to M. de Sartiges the assurance of his very distinguished consideration.

JOHN J. CRITTENDEN.

M. DE SARTIGES.

(J. E. Harvey to J. J. Crittenden.)

NORTH AMERICAN OFFICE.  
PHILADELPHIA, November 1, 1851.

DEAR SIR,—The inclosed letter from the *New York Times*, as well as statements of a similar character made in the *Washington* and other papers, place me in a very false position before the public, and apparently by the sanction, if not by the instruction, of gentlemen in administration. The information in regard to your recent correspondence with the French and British governments was obtained, as I stated in a note to the *Intelligencer*, before my arrival in Washington, and was published by telegraph in the *North American* before my conversation with you on the subject. And if your recollection serves, you cannot fail to remember that, in the interview to which reference is made, *I* introduced the matter of the correspondence. Under such circumstances, I was greatly surprised to see the comments of the *Intelligencer* upon a state of facts which did not exist, as my dispatches show, and more so that the letter in the *Times*

should represent that my publications should have occasioned you "mortification and surprise," or been considered as containing "exaggerated views." I never said, in any shape or form, that you had either rebuffed or rebuked either of the governments in question, and the collation of my dispatches, as published in the *Union* of yesterday, exhibits this very plainly, but some strange misconception of both the spirit and the language of my dispatches exists at Washington. What I said in reference to yourself was a friendly tribute of my personal regard, and of my respect, for what I understood to be the position which you had assumed. I do not consider that I have deserved the strictures which have been made upon me, and I am greatly at loss to understand them.

In regard to the publications themselves, I hold them to be eminently proper, and for one I am wholly opposed to this system of "State secrets," now so much in vogue, when treaties are under negotiation. It is my business to obtain information, and I shall continue, as I have heretofore done, to exercise my own discretion in regard to the use of all that I may properly acquire, despite the small jealousies and petty manœuvring about Washington, in which the *Republic* has played so doubtful a part during the last and present administrations. The impression which was first made upon the public mind by the belief that the administration had acted up to the American sentiment, in the correspondence between England and France, has been much impaired by the subsequent impression, that it desired to treat those governments gingerly.

Very truly,

Mr. CRITTENDEN.

JAMES E. HARVEY.

(J. J. Crittenden to James E. Harvey.)

WASHINGTON, November 3, 1851.

MY DEAR SIR,—I have received your letter of the 1st inst., and with it the slip you inclose, cut from the New York *Daily Times*, containing a letter from the Washington correspondent of that paper, in which reference is made to me, and, as I now understand, to you, also, in connection with official transactions in which I was engaged with certain foreign ministers, during the brief period in which I was the acting Secretary of State.

In affairs merely personal to myself I should not hesitate to make and to write any disclosures or explanations that the occasion might require. But I was restrained on this occasion by the circumstances of the case and by my official relations to the subject in question.

I am not responsible for the letter published in the New

York *Daily Times*. I am wholly ignorant who is the author of that letter, and its publication is altogether unauthorized by me.

I have said on several occasions, in private conversations, that there had occurred nothing at all of a sarcastic or discourteous character—certainly nothing so intended by me—in my intercourse or communication with either the English or French minister, and that I should be ashamed to be thought guilty of any rudeness towards either of those gentlemen in my official capacity. I said this to Mr. Seaton, with a request that he would say something to the same effect in the *Intelligencer* for the purpose of relieving the feelings of the French minister, which had been hurt, as I understood, by a previous article in that paper, which, as I conceive, represents him as having been disrespectfully or discourteously treated by me.

This, sir, is about the substance of all I have said in reference to the matter in question. I may add that it has so happened that I have not read or seen the letter published in the *North American*, which is ascribed to you.

I had no purpose or object of accusing you of any intentional injustice to me, or of any misrepresentation. I had cause to regard you as a friend, and did so regard you.

I have said more, perhaps, than I ought on such a subject. My respect for you and for your feelings, which seem to be excited more than the occasion, as it seems to me, requires, has induced me to say what I have. It must be understood, however, as having been written for your personal and private satisfaction alone. I cannot consent that any reference even should be made to it in any controversy you may have, or any publication you may make, on the subject. The reasons for this are so obvious that they need not be stated. They will readily occur to you.

I understand you to inquire if I recollect the conversation we had in my office. It is only necessary now to say that I do perfectly recollect it.

Very respectfully yours,  
J. J. CRITTENDEN.

(J. J. Crittenden to Leslie Coombs.)

WASHINGTON, November 1, 1851.

DEAR COOMBS,—I received your kind and friendly letter, for which I thank you. My position in respect to the senatorial election is just this, no more, no less: At the instance of some friends in Kentucky, I consented to their presenting *my* name as a candidate if they thought proper to do so upon the meeting of the legislature and upon a survey of all the circum-

stances. I thought I might go thus far without presumption or giving just cause of offense, and yet I confess that I felt some reluctance to do *even that*, because it might cross or conflict with the hopes and wishes of good friends and cause some dissatisfaction on their part. Yet, having yielded my seat in the Senate to obey the wishes of the Whigs of Kentucky in becoming, at their bidding, a candidate for the office of governor, it seemed to me that I might naturally and reasonably indulge the desire of being restored to my former position; *yet* I did not make myself a candidate,—I left that to the discretion and the will of others. From what I hear, I suppose they have presented me as a candidate. I therefore desire to be elected; it is the situation most agreeable to me, and a re-election would be felt as a great honor. Still, I want nothing that cannot be freely awarded to me; I am not to be regarded as a *disturber* of the party. *Disturbance* already existed so far as it could be produced by the conflicting pretensions or claims of many candidates, each one of whom is, to say the least, as chargeable as I am with causing any controversy. But enough of this. I desire, of course, not to be beaten, and I thankfully accept your proffered services and friendship. I hope that you will go to Frankfort and take such part in the contest as you deem proper. I never felt less like controversy. *Wounded* as I have been, I naturally turn away from the battle like a bleeding soldier. My friends must act for me.

Gov. LESLIE COOMBS.

Your friend,

J. J. CRITTENDEN.

(J. J. Crittenden to O. Brown.)

WASHINGTON, Nov. 12, 1851.

DEAR ORLANDO,—Before this can reach you, the senatorial question will have been disposed of, and, as I anticipate, by a postponement. Some few letters, and particularly two received from Morehead, lead me to that conclusion. Such a result is not the most gratifying to me, but I can bear it calmly and patiently.

I shall feel some curiosity and interest to know the course of some individuals in respect to this election, and will thank you for the information. The course of Judge Robertson and of Mr. Dixon does not much surprise me, though, as I am informed, they have displayed a sort of personally hostile opposition to me, for which I never gave either of them cause.

I understand that my old friend Ben Hardin speaks kindly of me, but opposes my election. I confess that in this I have been disappointed and mortified. He and I are cotemporaries. We have been long associated, and have stood together as

friends through many years. The path which remains for us to travel is not very long, and I regret that he has found it necessary to part from me on this occasion. I do not mean to complain of him, but only to express my regret. My feelings and my memory suggest to me much more on this subject; but I will only add that I think if Hardin had considered it in all its points of view, his judgment, as well as his friendly feelings, I doubt not, would have decided him to take sides with me rather than with my opponents. There is not the least unkindness towards him mingled with the regret I feel on this occasion, and, as the matter will all be over before this reaches you, I am willing he should know. Indeed, I wish you would inform him how I feel and what I have here written in regard to him.

What part does our Frankfort senator and representative take? Farewell.

Your friend,

ORLANDO BROWN, Esq.

J. J. CRITTENDEN.

P.S.—To my good friends, and better never were, give a hearty shake of the hand from me.

J. J. C.

## CHAPTER II.

1851-1852.

Letters—Daniel Webster to R. P. Letcher—Washington's Birthday—R. C. Winthrop to J. J. Crittenden—Letter of Apology from Mr. Crittenden to Mr. Webster, and Webster's Reply—Hon. Thomas Corwin to Crittenden—Hon. James Buchanan to Crittenden.

(Orlando Brown to J. J. Crittenden.)

FRANKFORT, December 3, 1851.

MY DEAR SIR,—I propose to say a few words to you about the senatorial election. You and your family and friends are all greatly indebted to Mr. Thomas F. Marshall for his devotion to your interests during this crisis; he has surpassed himself as an orator in presenting your claims to the gratitude and love of the people of Kentucky. I read to Mr. B. Hardin what you said of him, and the old gentleman's eyes filled with tears; he exclaimed, with vehemence, "*My God, sir, it is all a mistake; I have been for him, am for him, mean to be for him.*" And he has been making good his words. Mr. Abraham Caldwell, of the Senate, and your old fellow-soldier, Cunningham, are the most reliable of your friends. Captain Hawes is at our head, and is as gallant a leader as we could have. Neither Bell, nor Helm, nor Brock, nor Davis have come near us. The true policy of your friends is to refer the whole subject to the people. With the people, *thank God*, you are safe. You will probably be approached by some one before long, and may be induced to say, "Rather than embarrass my friends any longer, take my name off the list." Let me beg of you to say *no such thing*. You are not here; you do not know *how things* are worked. Dixon's election will be a Democratic triumph; he and his friends are afraid to go back to the people. If the election is postponed, you will be the means of bringing the Whig party again into line, and with you as our standard-bearer we will triumph in '53.

I remain sincerely yours,

ORLANDO BROWN.

(J. J. Crittenden to A. B.)

WASHINGTON, December 5, 1851.

MY DEAR SIR,—You and other friends have been so remiss in writing to me that I have been, and am still, to a great ex-

tent, ignorant of the proceedings and incidents of the late attempts made in the Kentucky legislature to elect a senator to the Congress of the United States. This, however, I do not complain of. I am, perhaps, fortunate, in that it has saved me from some portion of those unpleasant feelings which are unavoidable in such contests. I have learned enough, however, to give me uneasiness and pain. The use which my friends have thought proper to make of my name seems to have been a cause of disturbance and controversy among the Whigs. I owe to them too many obligations for favors and honors received in times past to be willing now to be an obstacle in their way or to be a cause of dissension among them. If it will restore harmony and give them satisfaction, I hope that those of them who have desired my election will yield at once and withdraw my name from the contest. So far as I am concerned, I will be a willing sacrifice to the reunion of the Whigs. Honorable and desirable as it would be to me to be restored to a seat in the Senate, my ambition is not so selfish as to make me seek it through discord and alienation among my Whig friends. I prefer the good opinion of Kentucky to any office, and I would not excite the ill will of any considerable number of Kentuckians by any strife or contention for office with political friends. I do not see that the mere presentation of my name as a candidate ought to have produced any excitement against me, or among Whigs. I think I have not deserved this, and that there are few who will not agree with me when the passions excited by the contest are past. Still, we must look to the *fact*, and act upon it accordingly. For my part, I can say that I want no office which is not freely and willingly bestowed, and that I want no contest in which I am to conquer, or be conquered, by my friends. I would rather yield to them than fight them. By the first course, harmony might be restored among them for their own and the country's good; in the *latter*, nothing but discord and division could be the result. I am averse to be placed in any situation where I could, with any propriety, be regarded as the cause of such evils. I do not mean by this that I would feel bound or willing to yield to a competitor, however worthy, simply upon the ground that *he* preferred the place for himself, or that his friends preferred it for him. To ask such a submission would be illiberal, and to grant it would be unmanly. Such differences among friends of the same party ought to be settled in a generous and friendly spirit and leave no ill feeling behind. *In such* settlements, my aim would be not to be *outdone* in liberality and concession. I should dislike exceedingly to be engaged in any *personal* or illiberal struggle, and sooner than an election, which ought to be made, should

be postponed, I would for the public interest and for harmony prefer to retire from the contest. There might be some mortification attending such a course; but this would be relieved by considering that it was done from motives honorable, friendly, and patriotic. I have served Kentucky a long time; I have served her faithfully, and, I hope, with no discredit to her; but I have no wish to intrude myself upon her for reluctant favors. When my services cease to be acceptable to her, to hold office under her would no longer be an object of ambition for me.

Yours,

J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

WASHINGTON, December 8, 1851.

MY DEAR SIR,—I received to-day your letter of the 3d inst.

You know precisely how much and how little I have had to do in the presentation of myself as a candidate for the Senate of the United States. I think I may say that it has been the action of my friends; and since the contest began, I have looked passively upon it. I had left it to my friends,—friends deserving all my confidence,—and there I will, as you advise, leave it. It would be ungrateful as well as unjust in me now to thwart or cross them in the midway of a controversy, in which, for my sake, they have involved themselves, and about which I really know so little. I know that whatever they have done has been done in sincerity of friendship for me, and I will abide by it to the last. As they pitch the battle so let it be fought.

But in this contest it is always to be remembered that you are contending against friends, who, by accident or circumstances, have been made opponents for the present, and to whom a liberal and generous treatment is due. You, who are upon the ground, well know how to distinguish between *such opponents* and those who prove themselves to be enemies. I wish that all of you who are supporting me will remember, also, that you are not supporting an exacting friend, but one who would not be outdone in liberality, generosity, or conciliation; one who would rather suffer anything himself than see his generous friends involved in difficulties or perils on his account. I hope that they will act accordingly in this matter. But whatever they shall do or determine, that will I abide by, that will I maintain as *right*, and go to all honorable extremity with them in defending and making good.

I wrote to Mr. T. F. Marshall before the receipt of your letter, and before I read his letter in the *Louisville Journal*. I wrote upon the information of his course derived from the newspapers.

Somehow or other I cannot be a man of words on such occasions, but my whole heart is full almost to bursting at acts of free and manly friendship and devotion. I love Tom Marshall. Oh, if he will be but true to himself, how I would strive for his advancement! How I would love to strive for it!

I was touched to the heart, too, at what you tell me about my old friend (for such I may now call him) Ben Hardin. I felt like breaking at the root when I heard that he was against me, for in the days of our youth—of our growth—we were together, and have passed thus far through life in more of amity and good will than falls to the lot of most men occupying our position. Upon reading what you wrote me my eyes were not dry. Time gives a sort of sacredness to the feelings that arise from old associations and friendships. I wish I could live long enough, or had the means of repaying, Orlando, all the debts I owe my friends. But therein I am a bankrupt indeed.

Do give my grateful regards to my friends Caldwell and Cunningham, and to all the friends that in my absence have stood by me; my heart is full of thankfulness. And I really hope and believe that many of those who have taken part against me have been influenced to do so by circumstances that do not affect their good opinion and kind feelings towards me. I bear no ill will to them.

Your friend,

ORLANDO BROWN, Esq.

J. J. CRITTENDEN.

(Letter from Daniel Webster, Secretary of State, to R. P. Letcher.)

WASHINGTON, December 23, 1851.

DEAR SIR,—I have written you a dispatch principally upon the subject of the Tehuantepec Treaty. There is nothing in that letter which you may not make known to the Mexican government, but in your conversation with the Secretary of Relations you may give even stronger admonitions. You may say that if the treaty is not ratified, or some new one agreed to which shall answer the same purpose, it is certain that very serious consequences will result, and Mexico must be persuaded to act promptly. Any considerable delay will be ruinous. The temper of the people, and the disposition of Congress, are both assuming a very decided tone upon this matter, especially since the proposition in the Mexican Senate to transfer this right to England. We must rely on you, my dear sir, to exert all your influence and energy to bring this business to a favorable and an immediate termination.

Yours always truly,

Hon. R. P. LETCHER.

DANIEL WEBSTER.

(J. J. Crittenden to Orlando Brown.)

WASHINGTON, Feb. 6, 1852.

MY DEAR SIR,—I see the Whigs are to meet in Frankfort on the 24th of this month to select delegates to the national convention for the nomination of a candidate for the Presidency. I think that Mr. Fillmore has fairly earned and fully deserves the highest favor and confidence of the Whigs, and that he is in mere justice entitled to the nomination. I do not *know* that he will be a candidate; I am sure he will not *seek* such a position. But neither you nor I will think that he *therefore* deserves it the less. I am anxious that your Frankfort convention should make some strong expression of its approbation of Mr. Fillmore, and its preference for him as their candidate. When they shall have *done that*, and with it their determination to support the nominee of the national convention, they will have done *all* that they ought to do. I beg you to do all you can to procure such an expression of preference for Mr. F. You will *gratify* and *serve* me by this. I believe that Fillmore is, *as he ought to be*, the favorite candidate of Kentucky. I see that in one of your county meetings there has been an expression of a *preference for me* as the candidate for the Presidency. If any purpose of that sort should be manifested in the convention, I beg you and all my friends to suppress it. It would do me *no good* in any event; it would be a prejudice to me in any of those *contingencies* or prospects which my too-sanguine friends might anticipate. You know my sentiments on this subject. I shall always be proud of any favorable expression of the sentiments of Kentuckians to me, but at this juncture I should much regret a nomination for the Presidency. Besides its other injurious effects, it would furnish a plausible ground to doubt the sincerity of my conduct and advice to *others* who are here and expose me to suspicion of contrivance and selfish ambition, than which nothing could be more unjust. Reflect upon and attend to this. Let me hear by telegraph the first expression of preference for Fillmore.

Your friend,  
J. J. CRITTENDEN.

In 1852 Kossuth was addressing public assemblies throughout the United States, and General Washington's farewell advice, to avoid entangling alliances with foreign powers, seemed likely to be forgotten. The citizens of Philadelphia sent a petition to Congress, through Mr. Crittenden, asking for a special celebration of General Washington's birthday, hoping in this way to counteract the effect of Kossuth's eloquence.

HOUSE OF REPRESENTATIVES, Feb. 10, 1852.

Mr. Crittenden.—Mr. Speaker, I ask the unanimous consent of the House to present a petition of the citizens of Philadelphia. It does not relate to politics ; it proposes a mode of celebrating the birthday of General Washington. It is worthy of being heard by the House, and I hope it will be. At the head of the list are the names of the present and of two preceding mayors of the city of Philadelphia. There are a thousand names to this petition, embracing the first men in the city of Philadelphia—Ingersoll, Dallas, and others equally distinguished. They pray that in this time of trouble particular attention may be paid to the birthday of General Washington, and that it may be solemnized in this House ; that both Houses shall meet on the 22d of February ; that the Farewell Address of General Washington shall be read, and that such parts of the Address as may be considered appropriate shall be ordered to be read at the head of the regiments of the army of the United States. There is still one great name in our country which exercises a great influence over the hearts of all true Americans. It is needless to say that name is Washington. The name stands alone far above all others. In times of trouble and peril all our hearts naturally turn to him for lessons of patriotism and every public virtue.

The object of this signal commemoration of his birthday is to impress his name more deeply on the minds and hearts of the American people, to kindle his memory into a flame of patriotism, and by the noble inspiration of his good and glorious name enable ourselves the better to maintain and defend that great and free government and Union which, under God, he established for us. I hope Congress will concur in the prayer of the petitioners, and I ask that it may be read.

WASHINGTON, D. C., Feb. 17, 1852.

To Hon. J. J. CRITTENDEN.

MY DEAR SIR,—It is the wish of the committee that the birth-night celebration come off at Willard's Hotel on Saturday night, and that you should respond to a sentiment in allusion to the President and heads of the administration. I intended to call and give you notice of the position assigned you in the *order* of the day, but have been too much occupied. You must hold yourself in readiness for the call made upon you.

The dinner is an anti-Kossuth affair, or at least it is intended as a demonstration in favor of the neutral policy of Washington. It is our intention to have the proceedings of the evening, with all the speeches, etc., printed in neat pamphlet form for circulation. Hour of meeting, seven o'clock.

Yours most respectfully,

ALEXANDER H. STEVENS.

## CONGRESSIONAL CELEBRATION OF WASHINGTON'S BIRTHDAY.

Mr. Crittenden, in answer to loud calls from all parts of the hall, rose and said:

Mr. PRESIDENT,—I regret that in this company, where there are so many others more capable, I should have been selected and called upon to respond to the toast announcing the Father of his Country as its mighty theme. You have met, sir, to commemorate the anniversary of his birth. The occasion and the associations by which we are surrounded,—here, in the city which he founded, at the capital and seat of government which he established, in sight of Mount Vernon, his chosen residence and the sacred sepulchre of his remains,—the occasion and the associations make us feel as though we were almost brought into his presence; at least his name is here,—a name which can never die,—a living name, before which every head in the civilized world is bent in reverence, and to which the homage of every true American heart is due. [Loud cheers.] I almost fear to speak on such a subject. The character of Washington has ascended above the ordinary language of eulogy. A Cæsar, a Napoleon, a Cromwell may excite the noisy applause of the world, and inflame the passions of men by the story of their fields and their fame; but the name of Washington occupies a different, a serener, a calmer, a more celestial sphere. [Great applause.] There is not in his character, and there is not about his name, any of that turbulence, and excitement, and glare which constitute glory in the vulgar and worldly sense of the term. His name has sunk deep into the hearts of mankind, and more especially has it sunk deep into the mind and heart of America, and in that secret and inner temple it will reside without any of the forms of ostentatious idolatry. It resides in the inner recesses of the hearts of his countrymen; and, like an oracle, is continually whispering lessons of patriotism and of virtue. [Great cheering.] He never sought or asked for what men call glory. He sought to serve his kind and his country by his beneficence and his virtues, and he found in that service, and in the performance of his duty, that only and that richest reward which can recompense the patriot and the statesman. [Renewed and enthusiastic applause.] That was our Washington. Let all the rest of the world present anything like his parallel. The verdict of mankind has already assigned to him a pre-eminent and solitary grandeur. [Applause.] In him all the virtues seemed to be combined in the fairest proportions. The elements were so mixed in him, and his blood and judgment were so commingled, that all the virtues seemed to be the natural result, and to flow spontaneously from the combination,

as water from the purest fountain. In him the exercise of the most exalted virtue required no exertion; it was part and parcel of his nature, and of the glorious organization "to which every god had seemed to set his seal." [Applause.] Where was there any error in him? He was a man, and, therefore, in all humility, we, who share that humanity, must acknowledge that he had his imperfections; but who, through his long and eventful life, can point to an error or to a vice committed, or a duty omitted? His character was made up and compounded of all the virtues that constitute the hero, patriot, statesman, and benefactor [cheers], and all his achievements were but the practical developments of that character and of those virtues. [Applause.] He was the same everywhere,—in the camp, in the cabinet, at Mount Vernon. No difference could be distinguished anywhere. His greatness was of that innate and majestic character that was present with him everywhere. It was that which gave him his dignity, and not the occasional situations or offices which he held under the government. He dignified office; he elevated the highest rank, military or civil, which he ever held. No rank, military or civil, ever raised him, or could come up to that majesty of character which the God of his nature had implanted in him. [Great cheering.] That was our Washington. He was a firm believer in a divine Providence, and it belonged to his elevated and majestic mind to be so,—a mind that connected itself with the throne of the Deity from which it sprung. His heart was purified, and his motives were elevated by constant recurrence to that divine assistance which he thought was extended to his country, and to himself in his service of that country. Our history as a people is, to a remarkable extent, a history of providences; and among all the benignities of Providence, in a worldly point of view, I know no greater gift that she has conferred upon us than in the person of Washington himself. [Cheers.] She raised him up at the appointed time. She raised him up at a grand crisis in the affairs of mankind, when the thoughts of men were about taking a new direction; when the old things, the old despotisms, were about to pass away under the influence of a dawning public opinion which was about to reassert the long-lost rights of mankind; when you, a new-born people, for whom this mighty continent had been reserved as the most magnificent land that the Almighty ever prepared for man, had grown to an estate to feel your strength, to know your rights, and to be willing to struggle for them; Washington was raised up to become the great leader of those great popular principles of human rights, and to consecrate them, as it were, by connecting them in his own person with every personal,

moral, private, and public virtue; not leaving us to mere idealism, but exhibiting and embodying, in his own venerated and beloved person, all those mighty principles which were necessary to our success and to the establishment of our liberties. He led us triumphantly through a seven years' war; and our glorious Revolution being successfully accomplished, he applied himself, with all his influence and all his wisdom, to secure, by free and permanent institutions, all the blessings that liberty and independence could confer on his country. Our present Constitution and form of government were the grand results of his patriotic efforts. A new government being thus established, he was by the unanimous voice of his country called to the presidential office, that by his wisdom and influence he might put into practice and consolidate those new and untried institutions, by which all the blessings acquired by the Revolution and contemplated by that government were to be practically secured to the people of the United States. He served till the success of the experiment was demonstrated. He retired then to his beloved Mount Vernon, and there passed in honored privacy the remainder of his life. Where can another such character be exhibited on the pages of history? Providence intended him for a model. She has made his character cover the whole space of political and of private life. [Applause.] She trained him up in the humblest walks of private life. There he knew the wants and wishes and condition of the humblest of his fellow-citizens. The confidence which he inspired everywhere spread with every step that he advanced in life. He became commander of the army. With all the military despotism that belongs to such a state, he used his power without the oppression of a human being. During a seven years' war, amid such trials and troubles as no people ever saw, in no exigency, by no extremity, was he driven to the necessity of committing a trespass or wrong upon any man or any man's property. He needed no act of amnesty afterwards, by the government, to protect him against personal responsibility, which acts of violence might have rendered necessary to others. He led you triumphantly on. He was an example to all military men. He became President. He has left us an example there, to which we look back with filial reverence, and long, long may we do so. [Great applause.]

Before his retirement from office, he made to the people of the United States that "Farewell Address" so familiar to the thoughts of us all. It contains, as he himself said, the advice of a parting friend, who can possibly have no personal motive to bias his counsel. It was the gathered wisdom of all his life and of all his experience. What a legacy! We rejoice in

riches that no nation ever knew before. What are the mines of California with their perishing gold to this? You have a legacy left you in the wisdom of that man that is above all price. The Romans shouted, the Romans exulted, when Mark Antony told them that Cæsar had left them a few denarii, and the privilege of walking in his gardens. That was the imperial bequest. How ignoble, how trifling, does the Roman seem to you, my countrymen, who exult to-day in the legacy which was left you in the Farewell Address of Washington! [Great applause.] That is imperishable. So long as we remember it, it will render our government and our liberties imperishable; and when we forget it, it will survive in the memory, I trust in God, of some other people more worthy of it, even if it be to shame this degenerate republic. [Enthusiastic applause.] That Farewell Address contains wisdom enough, if we but attend to it; contains lessons enough to guide us in all our duties as citizens, and in all our public affairs. [Applause.] There are two subjects which recent occurrences have turned our attention to with particular interest, and which I may be allowed on this occasion to advert to, in no spirit of controversy or of unkindness towards any one, but in that spirit which induces me to desire to see every lesson of Washington daily, and constantly, and freshly brought to the mind of every citizen of the United States. To my children they were brought as their first lessons. There is none too old to profit by them, and they cannot be learned too early. You are familiar with that address, gentlemen, and I will therefore only ask you to allow me to allude to the two subjects upon which he has been peculiarly emphatic in his advice. The one is to preserve the union of the States [loud cheers]; that, he says, is the main pillar of the edifice of our independence and of our liberties; frown down every attempt to bring it into question, much less to subvert it; when it is gone all is gone. Let us heed this lesson, and be careful. I trust in God we have no grounds to apprehend such a degree of oppression as will compel us to raise our suicidal arms for the destruction of this great government, and of this Union which makes us brethren. [Great applause.] I do not allow my mind to look forward to such a disaster. I will look upon this Union as indissoluble, and as firmly rooted as the mountains of our native land. I will hope so; I will believe so. I will so act; and nothing but a necessity, invincible and overwhelming, can drive me to disunion. This is the sentiment, as I understand it, which Washington inculcates. Thank God, we have every hope of the restoration of every kind feeling now which made us, in times past, a united band of brothers from one end of this land to the other. [Loud cheers.]

But there are external dangers, also, against which Washington warns us ; and that is the second subject to which I desire to ask your attention. Beware, he says, of the introduction or exercise of a foreign influence among you. [Loud and prolonged cheering.] We are Americans. Washington has taught us, and we have learned to govern ourselves. [Cheers.] If the rest of the world have not yet learned that great lesson, how shall they teach us ? Shall they undertake to expound to us the Farewell Address of our Washington, or to influence us to depart from the policy recommended by him ? [Great cheering.] We are the teachers, and they have not, or they will not, learn ; and yet they come to teach us. [Here the whole company rose, and gave three tremendous cheers.] Be jealous, he said, of all foreign influence, and enter into entangling alliances with none. Cherish no particular partiality or prejudice for or against any people. [Cheers.] Be just to all,—impartial to all. It is folly to expect disinterested favors from any nation. [Great cheering.] That is not the relation or character of nations. Favor is a basis too uncertain upon which to place any steadfast or permanent relations. Justice and the interests of the parties is the only sound and substantial basis for national relations. So said General Washington,—so he teaches. He asks, "Why quit our own, to stand on foreign ground?" [Cheers.] Go not abroad to mingle yourselves in the quarrels or wars of other nations. Take care to do them no wrong, but avoid the romantic notion of righting the wrongs of all the world, and resisting by arms the oppression of all. [Great cheering.]

The sword and the bayonet have been useful in defending the rights and liberties of those who used them, but in what other hands have they ever contributed to promote the cause of freedom or of human rights ? [Cheers.] The heart must be prepared for liberty. The understanding must know what it is, and how to value it. Then, if you put proper arms into the hands of the nation so imbued, I'll warrant you they will obtain and sustain their freedom. [Applause.] We have given the world an example of that success. But three millions, scattered over a vast territory, opposed to the most powerful enemy on earth, we went triumphantly through our Revolution and established our liberties. [Cheers.] But it is said that we have a right to interfere in the affairs of other nations, and in the quarrels of other nations. Why, certainly we have,—certainly we have. Any man has the right, if he pleases, to busy himself in the affairs and quarrels of all his neighbors ; but he will not be likely to profit by it, and would be called a busybody for his pains. [Laughter and applause.] We, as a nation, have a

right to decide—and it is always a question of expediency—whether we will or will not interfere in the affairs of other nations. There are cases so connected with our own interests, and with the cause of humanity, that interference would be proper. But still, it is a question for the sound discretion of this people,—a question always of expediency,—whether you will or will not interfere; and it is just because it is a question of that character, and because our passions and sympathies may often tempt us to err upon it, that Washington has made it the subject of this emphatic admonition. [Applause.] It is not because we have not the right to interfere, but it is because we have the right, and because we are surrounded by temptations,—by the temptations of generous hearts and noble principles,—to transcend the limits of prudence and of policy, and to interfere in the affairs of our neighbors, that he has admonished us. [Applause.] Washington, with that forecast and that prophetic spirit which constituted a part of his character, saw through all this. He knew the warm and generous natures of his countrymen. He knew their susceptibility, and he knew where the danger of error was; and it is there that his wisdom has erected, as far as his advice can do it, a bulwark for our protection. [Applause.] He tells you, "Stand upon your own ground." [Renewed applause.] That is the ground to stand upon.

What can you do by interference? Argument is unnecessary. The name of Washington ought to be authority,—prophetic, oracular authority for us. Is our mission in this world to interfere by arms? It is but little now, comparatively, of good that the bayonet and the sword can do. The plowshare does a thousand times more than either. [Great cheering.] The time was when arms were powerful instruments of oppression; but they cannot do much now, unless they are aided by the mercenary and degenerate spirit of the people over whom they are brandished. What could we do by armed interference in European politics? So mighty at home, what could we do abroad? How would our eagles pine and die if carried abroad, without the auspices of Washington, and against his advice, to engage in foreign wars of intervention, in distant regions of despotism, where we could no longer feed them from the plenteous tables of our liberty! [Enthusiastic applause.] We can do nothing there. We can do nothing in that way. I am not one of those who shrink from this thing simply because blood is to be shed. I have seen war. I have voted for maintaining it. I have contributed to maintain it. I pretend to no exquisite sensibility upon the subject of shedding blood where our public interest or our public glory call upon my fellow-citizens to lay down their lives and shed their blood. [Applause.] But

I do not wish to see them depart from those great and sure principles of policy which I am certain will lead my country to a greatness which will give to her world a power beyond that of armies in distant parts of the world. [Cheers.]

Our mission, so far as it concerns our distant brethren, is not a mission of arms. We are here to do what Washington advised us to do,—take care of our Union, have a proper respect for the Constitution and laws of our country, cultivate peace and commerce with all nations, do equal justice to all nations, and thereby set an example to them, and show forth in ourselves the blessings of self-government to all the world. [Applause.] Thus you will best convince mankind. Seeing you prosper, they will follow your example, and do likewise. It is by that power of opinion, by that power of reformation, that you can render the mightiest and greatest service that is in your power towards the spread of liberty all over the world. Adopt the policy of interference, and what is its consequence? War, endless war. If one interferes, another will interfere, and another, and another, and so this doctrine for the protection of republican liberty and human rights results in a perpetual, widespread, and wider-spreading war, until all mankind, overcome by slaughter and ruin, shall fall down bleeding and exhausted. [Applause.] I can see no other end, or good in it, unless you suppose that nations will consent that one alone shall erect itself into the arbiter and judge of the conduct of all the other nations, and that it alone shall interfere to execute what it alone determines to be national law. That alone can prevent widespread devastation from the adoption of this principle of intervention.

I beg pardon for the time I have occupied, but I hope that I may be excused for saying that I feel safer, I feel that my country is safer, while pursuing the policy of Washington, than in making any new experiments in politics, upon any new expositions of Washington's legacy and advice to the American people. [Great cheering.] I want to stand *super antiquas vias*,—upon the old road that Washington traveled, and that every President, from Washington to Fillmore, has traveled. [Great cheering.] This policy of non-intervention in the affairs of other countries has been maintained and sanctified by all our great magistrates. [Renewed cheering.] I may be defective in what is called "the spirit of the age," for aught I know; but I acknowledge that I feel safer in this ancient and well-tried policy than in the novelties of the present day.

And now, in conclusion, I hope I may be excused for saying that it has been the effort, and the honest effort, of the present administration—I ask no compliment for it—to follow in the

track that Washington marked out, and, with whatever unequal steps, it has endeavored to follow after him. That has been the model upon which Mr. Fillmore has endeavored, as it regarded all foreign countries, to fashion the course of policy of his administration. [Great applause.]

(Close of the Congressional Banquet given in memory of General Washington, 22d of February, 1852, in Washington City.)

Mr. Crittenden rose and said: This is the anniversary of the battle of Buena Vista. We commemorate it as the birthday of our Washington. I have said that Washington is a name that cannot die; it is a living name, and it will be a living name until we *as a people* are dead. It fought with us at the battle of Buena Vista. The name passed from soldier to soldier when those fearful odds of battle were counted: twenty-five thousand to four or five thousand raw militia! and the frequent exclamation heard among our ranks that "This is Washington's birthday" gave strength to every arm and fortified the courage of every heart. The name and spirit of Washington enabled us to conquer that day.

An honored and venerable gentleman (Mr. Curtis) has said "that the grave claims its due." Well, let the old usurer have it. What is it at last that is his due? The poor corporeal remnants of this poor humanity.

The spirit lives after it. The spirit of Washington is immortal, and still moves and acts upon the hearts of his countrymen. His form—his visible bodily form—has passed away from us, that majestic form "where every god had set his seal to give the world assurance of a man." [Cheers.] That is buried! gone beyond our sight! But his great spirit remains with us—that potent, mighty spirit; mighty to save, mighty to inspire, mighty to do battle for his countrymen, for whom he lived—for whom he died. That spirit did inspire us at Buena Vista, and to its influence we owe that memorable victory. It lives everywhere,—lives, sir, in us. The judge upon the bench partakes it. Presidents and generals acknowledge its power, and seek to emulate and follow the example of Washington. I know from intimate and long acquaintance that that old soldier (pointing to General Scott) who has so victoriously commanded our armies and led them to battle and to victory, has felt and cultivated the influence of that spirit, that his great ambition has been to fashion himself after that model man, General Washington.

But, Mr. President, we cannot well celebrate the 22d of February without having our hearts turned, also, to some memory of the victory of Buena Vista,—occurring on the same day,

and seeming to have emanated from the nativity of our Washington to shed, like a bright star, new lustre upon it.

We cannot think of Buena Vista without a grateful remembrance of that famous old *soldier* and *leader* to whom, under Providence, we were indebted for that victory—a victory almost without a parallel in history. The battles of his life are all over, and he sleeps with the mighty dead.

Allow me to offer you the illustrious name of that brave, good, and patriotic man, the hero of Buena Vista, General Taylor, the late President of the United States.

This toast was drunk standing and in silence.

(Robert C. Winthrop to J. J. Crittenden.)

BOSTON, May 13, 1852.

MY DEAR MR. CRITTENDEN,—I received a welcome letter from you weeks ago, for which I have often thanked you in spirit, and now tender you my cordial acknowledgments in due form. I trust that we are going to meet you all again this summer. You must come to Newport and resume your *red republican robes* and bathe off the debilities of a long heat at Washington. I wish you could be here at Commencement, July 22. Between now and then the great question of candidacy will be settled. How? How? Who can say? However it be, this only I pray,—give us a chance in Massachusetts to support it effectively. I do believe that we can elect Webster, Fillmore, Scott, or Crittenden, if there shall not be an unnecessary forcing of *mere shibboleths down our throats*. There is not an *agitator* in the whole Whig party here—no one who cares to disturb anything that has been done. As to the fugitive slave law, though I never thought it a wise piece of legislation, nor ever believed that it would be very effective, I have not the slightest doubt that it will long survive the satisfaction of the South and stand on the statute-book after its efficiency has become about equal to that of '93. But *tests* and *provisos* are odious things, whether *Wilmot* or *anti-Wilmot*. Webster is here, and his arrival has been the signal for a grand rally among his friends. There is no doubt but Massachusetts would work hard for him if he were fairly in the field, and I think there will be a general consent that he shall have the votes of all our delegates; but, what are they among so many? Do not let anybody imagine, however, that we shall *bolt* from the regular nominee, whoever he be, unless some unimaginably foolish action should be adopted by the convention.

Believe me, my dear sir, always most cordially and faithfully  
your friend and servant,

R. C. WINTHROP.

J. J. CRITTENDEN.

(J. J. Crittenden to Hon. Daniel Webster.)

WASHINGTON, June 10, 1852.

There is no duty, sir, that I more readily perform than that of making atonement frankly and voluntarily for any impropriety or fault of mine which may have done wrong or given offense to others.

I am sensible that yesterday I was betrayed into the impropriety of addressing you in a manner and with a degree of excitement wanting in proper courtesy and respect.

I regret it, sir, and I hope that this will be received as a satisfactory atonement, and that you will properly understand the motive which prompts it.

I am very respectfully yours,

Hon. DANIEL WEBSTER.

J. J. CRITTENDEN.

(Daniel Webster to J. J. Crittenden.)

WASHINGTON, 1852.

MY DEAR SIR,—Your note of yesterday has given me relief and pleasure. It is certainly true that your remarks at the President's the day before caused me uneasiness and concern; but my heart is, and has always been, full of kindness for you, and I dismiss from my mind at once all recollection of a painful incident.

Yours, as ever, truly,

Mr. CRITTENDEN.

DANIEL WEBSTER.

(J. R. Underwood to J. J. Crittenden.)

WASHINGTON, June 19, 1852.

DEAR SIR,—Conversing to-day with Mr. Clay, I gave him a brief account of my observations at Baltimore. I told him that the division in the Whig Convention might result in withdrawing Mr. Fillmore, Mr. Webster, and General Scott, in which event I said, from what I had heard, it was not improbable that you would receive the nomination.

I then ventured to ask him whether a difference between him and you, of which I had heard rumors, still existed, and whether he would be reconciled to your nomination. He replied to this effect:

“Mr. Crittenden and myself are cordial friends, and if it be necessary to bring him forward as the candidate, it will meet with my hearty approbation.” Supposing it may be agreeable to you to retain this evidence of Mr. Clay's good feeling and friendship, I take pleasure in placing it in your possession.

With sincere esteem, your obedient servant,

J. R. UNDERWOOD.

Hon. J. J. CRITTENDEN.

(Hon. Thomas Corwin to J. J. Crittenden.)

WASHINGTON.

DEAR CRITTENDEN,—If Messrs. Crittenden and Burnley, or either of them, want exercise, let them visit the *sick*. Here I am ensconced, like a Hebrew of old, on my back, about to dine, but, unlike the Hebrew, with no stomach for dinner. Oh, these cursed influenzas, they fatten on Washington patronage alone! *Hot water* runs out of one eye like sap from a sugar-tree, or like *lava* from Vesuvius. The mucous membrane of my nose, "os frontis" and "os occipitis," is, of course, in a melting mood. Did you ever look into the technology of anatomy? If not, this Latin will be above "*your huckleberry*." Is there no news—no *lies* brought forth to-day? Has the Father of Lies been celebrating the 8th of January, and allowed his children a holiday? Is Kossuth a candidate for the Presidency? Oh, you should have seen Sam Houston *last night*, with a red handkerchief hanging down two feet from the rear pocket of his coat! He looked like the devil with a yard of brimstone on fire in his rear. All the candidates were there, and acted as if they thought themselves second fiddlers to the *great leader* of the orchestra in that *humbug theatre*.

Civilized men are all *asses*. Your gentleman of God's making, nowadays, is only to be found in savage life. God help us!

Good-night,

Hon. J. J. CRITTENDEN.

THOMAS CORWIN.

(Hon. James Buchanan to J. J. Crittenden.)

Tuesday evening.

MY DEAR SIR,—Colonel King has just mentioned to me (and I am sorry he did not do so before we left the Senate) that you felt yourself aggrieved by my remarks on Thursday last, and thought they were calculated to injure you. I can assure you that you are among the last of living men whom I would desire to injure.

It is not too late yet to suppress all these remarks, except my disclaimer of the doctrine imputed to me in the Kentucky pamphlet. The debate will not be published in the *Globe* until to-morrow evening; and I am not only willing, but I am anxious, that it shall *never appear*. If this be your wish, please to call and see me this evening, and we can go to Rives and arrange the whole matter. I live at Mrs. Miller's,—it is almost on your way,—on F Street, where Barnard lived last session.

Yours sincerely,

Hon. J. J. CRITTENDEN.

JAMES BUCHANAN.

## CHAPTER III.

1852-1853.

Address on Life and Death of Henry Clay, September 29, 1852—Letters to Mrs. Crittenden, Mrs. Coleman, President Pierce—Letter of Edward Everett.

**M**R. CRITTENDEN was invited, by the State of Kentucky, to deliver this address in commemoration of Henry Clay:

ADDRESS ON THE LIFE AND DEATH OF HENRY CLAY, DELIVERED AT LOUISVILLE, SEPTEMBER 29, 1852.

LADIES AND GENTLEMEN,—I am very sensible of the difficulty and magnitude of the task which I have undertaken.

I am to address you in commemoration of the public services of HENRY CLAY, and in celebration of his obsequies. His death filled his whole country with mourning, and the loss of no citizen, save the Father of his Country, has ever produced such manifestations of the grief and homage of the public heart. His history has indeed been read “in a nation’s eyes.” A nation’s tears proclaim, with their silent eloquence, its sense of the national loss. Kentucky has more than a common share in this national bereavement. To her it is a domestic grief,—to her belongs the sad privilege of being the chief mourner. He was her favorite son, her pride, and her glory. She mourns for him as a mother. But let her not mourn as those who have no hope or consolation. She can find the richest and the noblest solace in the memory of her son, and of his great and good actions; and his fame will come back, like a comforter, from his grave, to wipe away her tears. Even while she weeps for him, her tears shall be mingled with the proud feelings of triumph which his name will inspire; and Old Kentucky, from the depths of her affectionate and heroic heart, shall exclaim, like the Duke of Ormond, when informed that his brave son had fallen in battle, “I would not exchange my dead son for any living son in Christendom.” From these same abundant sources we may hope that the widowed partner of his life, who now sits in sadness at Ashland, will derive some pleasing consolations. I presume not to offer any words of comfort of my own. Her grief is too sacred to permit me to use that privilege.

You, sons and daughters of Kentucky, have assembled here

to commemorate his life and death. How can I address you suitably on such a theme? I feel the oppressive consciousness that I cannot do it in terms adequate to the subject, or to your excited feelings. I am no orator, nor have I come here to attempt any idle or vainglorious display of words; I come as a plain Kentuckian, who, sympathizing in all your feelings, presents you with this address, as his poor offering, to be laid upon that altar which you are here erecting to the memory of Henry Clay. Let it not be judged according to its own value, but according to the spirit in which it is offered. It would be no difficult task to address you on this occasion in the extravagant and rhetorical language that is usual in funeral orations; but my subject deserves a different treatment—the monumental name of Henry Clay rises above all mere personal favor and flattery; it rejects them, and challenges the scrutiny and the judgment of the world. The noble uses to which his name should be applied, are to teach his country, by his example, lessons of public virtue and political wisdom; to teach patriots and statesmen how to act, how to live, and how to die. I can but glance at a subject that spreads out in such bright and boundless expanse before me.

Henry Clay lived in a most eventful period, and the history of his life for forty years has been literally that of his country. He was so identified with the government for more than two-thirds of its existence, that, during that time, hardly any act which has redounded to its honor, its prosperity, its present rank among the nations of the earth, can be spoken of without calling to mind involuntarily the lineaments of his noble person. It would be difficult to determine whether in peace or in war, in the field of legislation or of diplomacy, in the spring-tide of his life, or in its golden ebb, he won the highest honor. It can be no disparagement to any one of his contemporaries to say that, in all the points of practical statesmanship, he encountered no superior in any of the employments which his constituents or his country conferred upon him.

For the reason that he had been so much and so constantly in the public eye, an elaborate review of his life will not be expected of me. All that I shall attempt will be to sketch a few leading traits, which may serve to give those who have had fewer opportunities of observation than I have had something like a just idea of his public character and services. If, in doing this, I speak more at large of the earlier than of the later periods of his life, it is because, in regard to the former, though of vast consequence, intervening years have thrown them somewhat in the background.

Passing by, therefore, the prior service of Mr. Clay in the

Senate for brief periods in 1806 and 1810-11, I come at once to his Speakership in the House of Representatives, and his consequent agency in the war of 1812.

To that war our country is indebted for much of the security, freedom, prosperity, and reputation which it now enjoys. It has been truly said by one of the living actors in that perilous era, that *the very act of our* going to war was heroic.\* By the supremacy of the naval power of England the fleets of all Europe had been swept from the seas; the banner of the United States alone floated in solitary fearlessness. She seemed to encircle the earth with her navies, and to be the undisputed mistress of the ocean. We went out upon the deep with a sling in our hands. When, in all time, were such fearful odds seen as we had against us?

The events of the war with England, so memorable, and even wonderful, are too familiar to all to require any particular recital on this occasion. Of that war,—of its causes and consequences,—of its disasters, its bloody battles, and its glorious victories by land and sea, history and our own official records have given a faithful narrative. A just national pride has engraven that narrative upon our hearts. But even in the fiercest conflicts of that war, there was nothing more truly heroic than the declaration of it by Congress.

Of that declaration, of the incidents, personal influences, and anxious deliberations which preceded and led to it, the history is not so well or generally known. The more it is known the more it will appear how important was the part that Mr. Clay acted, and how much we are indebted to him for all the glorious and beneficial issues of the declaration of that war, which has not inappropriately been called the *Second War of Independence*.

The public grounds of the war were the injustice, injury, and insults inflicted on the United States by the government of Great Britain, then engaged in a war of maritime edicts with France, of which the commerce of the United States was the victim, our merchant ships being captured by British cruisers on every sea, and confiscated by her courts, in utter contempt of the rights of this nation as an independent power. Added to this, and more offensive than even those outrages, was the arrogation, by the same power, of a right to search American vessels for the purpose of impressing seamen from vessels sailing under the American flag. These aggressions upon our national rights constituted, undoubtedly, justifiable cause of war. With equal justice on our part, and on the same grounds (impressment of seamen excepted), we should have been warranted in declaring

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\* Hon. Mr. Rush.

war against France also ; but common sense (not to speak of policy) forbade our engaging with two nations at once, and dictated the selection, as an adversary, of the one that had power, which the other had not, to carry its arbitrary edicts into full effect. The war was really, on our part, a war for national existence.

When Congress assembled, in November, 1811, the crisis was upon us. But, as may be readily imagined, it could be no easy matter to nerve the heart of Congress, all unprepared for the dread encounter, to take the step, which there could be no retracing, of a declaration of war.

Nor could that task, in all probability, ever have been accomplished, but for the concurrence, purely accidental, of two circumstances : the one, the presence of Henry Clay in the chair of the popular branch of the national legislature ; and the other, that of James Monroe, as Secretary of State, in the executive administration of the government.

Mr. Monroe had returned but a year or two before from a course of public service abroad, in which, as minister plenipotentiary, he had represented the United States at the several courts, in succession, of France, Spain, and Great Britain. From the last of these missions he had come home, thoroughly disgusted with the contemptuous manner in which the rights of the United States were treated by the belligerent powers, and especially by England. This treatment, which even extended to the personal intercourse between their ministers and the representatives of this country, he considered as indicative of a settled determination on their part, presuming upon the supposed incapacity of this government for war, to *reduce to system* a course of conduct calculated to debase and prostrate us in the eyes of the world. Reasoning thus, he had brought his mind to a serious and firm conviction that the rights of the United States, as a nation, would never be respected by the powers of the Old World until this government summoned up resolution to resent such usage, not by arguments and protests merely, but by an appeal to arms. Full of this sentiment, Mr. Monroe was called, upon a casual vacancy, when it was least expected by himself or the country, to the head of the Department of State. That sentiment, and the feelings which we have thus accounted for, Mr. Monroe soon communicated to his associates in the cabinet, and, in some degree it might well be supposed, to the great statesman then at the head of the government.

The tone of President Madison's first message to Congress (November 5, 1811), a few months only after Mr. Monroe's accession to the cabinet, can leave hardly a doubt in any mind

of such having been the case. That message was throughout of the gravest cast, reciting the aggressions and aggravations of Great Britain, as demanding resistance, and urging upon Congress the duty of putting the country "into an armor and attitude demanded by the crisis and corresponding with the national spirit and expectations."

It was precisely at this point of time that Mr. Clay, having resigned his seat in the Senate, appeared on the floor of the House of Representatives, and was chosen, almost by acclamation, Speaker of that body. From that moment he exercised an influence, in a great degree personal, which materially affected, if it did not control, the judgment of the House. Among the very first acts which devolved upon him by virtue of his office was the appointment of the committees raised upon the President's message. Upon the select committee of nine members to which was referred "so much of the message as relates to our foreign relations," he appointed a large proportion from among the fast friends of the administration, nearly all of them being new members and younger than himself, though he was not then more than thirty-five years of age. It is impossible, at this day, to call to mind the names of which this committee was composed (Porter, Calhoun, and Grundy being the first named among them), without coming to the conclusion that the committee was constituted with a view to the event predetermined in the mind of the Speaker. There can be no question that when, quitting the Senate, he entered the representative body, he had become satisfied that, by the continued encroachments of Great Britain on our national rights, the choice of the country was narrowed down to war or submission. Between these there could be no hesitation in such a mind as that of Mr. Clay which to choose. In this emergency he acted for his country as he would in a like case for himself. Desiring and cultivating the good will of all, he never shrank from any personal responsibility, nor cowered before any danger. More than a year before his accession to the House of Representatives he had, in a debate in the Senate, taken occasion to say that "he most sincerely desired peace and amity with England; that he even preferred an adjustment of all differences with her to one with any other nation; but, if she persisted in a denial of justice to us, he trusted and hoped that all hearts would unite in a bold and vigorous vindication of our rights." It was in this brave spirit, animated to increased fervency by intervening aggressions from the same quarter, that Mr. Clay entered into the House of Representatives.

Early in the second month of the session, availing himself of the right then freely used by the Speaker to engage in discus-

sion while the House was in committee of the whole, he dashed into the debates upon the measures of military and naval preparation recommended by the President and reported upon favorably by the committee. He avowed, without reserve, that the object of this preparation was *war*, and *war with Great Britain*.

In these debates he showed his familiarity with all the weapons of popular oratory. In a tempest of eloquence, in which he wielded alternately argument, persuasion, remonstrance, invective, ridicule, and reproach, he swept before him all opposition to the high resolve to which he exhorted Congress. To the argument (for example) against preparing for a war with England, founded upon the idea of her being engaged, in her conflict with France, in fighting the battles of the world, he replied, that such a purpose would be best achieved by a scrupulous observance of the rights of others, and by respecting that public law which she professed to vindicate. "Then," said he, "she would command the sympathies of the world. But what are *we* required to do by those who would engage our feelings and wishes in her behalf? *To bear the actual cuffs of her arrogance*, that we may escape a chimerical French subjugation. We are called upon to submit to debasement, dishonor, and disgrace; to bow the neck to royal insolence, as a course of preparation for manly resistance to Gallic invasion! What nation, what individual, was ever taught, *in the schools of ignominious submission*, these patriotic lessons of freedom and independence?" And to the argument that this government was unfit for any war but a war against invasion,—so signally since disproved by actual events,—he exclaimed, with characteristic vehemence, "What! is it not equivalent to invasion, if the mouths of our outlets and harbors are blocked up, and we are denied egress from our own waters? Or, when the burglar is at our door, shall we bravely sally forth and repel his felonious entrance, or meanly skulk within the cells of the castle? . . . What! shall it be said that *our amor patriæ* is located at these desks? that we *pusillanimously cling to our seats here*, rather than vindicate the most inestimable rights of our country?" Whilst in debate upon another occasion, at nearly the same time, he showed how well he could *reason* upon a question which demanded argument rather than declamation. To his able support of the proposition of Mr. Cheves to add to our then small but gallant navy ten frigates, may be ascribed the success, though by a lean majority, of that proposition. Replying to the objection, urged with great zeal by certain members, that navies were dangerous to liberty, he argued that the source of this alarm was *in themselves*. "Gentlemen fear," said he, "that if we provide a marine it will produce collision with foreign

nations, plunge us into war, and ultimately overturn the Constitution of the country. Sir, if you wish to avoid foreign collision, you had better abandon the ocean, surrender all your commerce, give up all your prosperity. It is the thing protected, not the instrument of protection, that involves you in war. Commerce engenders collision, collision war, and war, the argument supposes, leads to despotism. Would the counsels of that statesman be deemed wise who would recommend that the nation should be unarmed; that the art of war, the martial spirit, and martial exercises, should be prohibited; who should declare, in a word, that the great body of the people should be taught that national happiness was to be found in perpetual peace alone?"

While Mr. Clay, in the capitol, was, with his trumpet-tongue, rousing Congress to prepare for war, Mr. Monroe, then Secretary of State, gave his powerful co-operation, and lent the Nestor-like sanction of his age and experience to the bold measures of his young and more ardent compatriot. It was chiefly through their fearless influence that Congress was gradually warmed up to a war spirit, and to the adoption of some preparatory measures. But no actual declaration of war had yet been proposed. There was a strong opposition in Congress, and the President, Mr. Madison, hesitated to recommend it, only because he doubted whether Congress was yet sufficiently determined and resolved to maintain such a declaration, and to maintain it to all the extremities of war.

The influence and counsel of Mr. Clay again prevailed. He waited upon the President, at the head of a deputation of members of Congress, and assured him of the readiness of a majority of Congress to vote the war if recommended by him. Upon this the President immediately recommended it by his message to Congress of the first Monday of June, 1812. A bill declaring war with Great Britain soon followed in Congress, and, after a discussion in secret session for a few days, became a law. Then began the war.

When the doors of the House of Representatives were opened, the debates which had taken place in secret session were spoken of and repeated, and it appeared, as must have been expected by all, that Mr. Clay had been the great defender and champion of the declaration of war.

Mr. Clay continued in the House of Representatives for some time after the commencement of the war, and having assisted in doing all that could be done for it in the way of legislation, was withdrawn from his position in Congress to share in the deliberations of the great conference of American and British Commissioners held at Ghent. His part in that convention was

such as might have been expected from his course in Congress,—high-toned and high-spirited, despairing of nothing.

I need not add, but for form, that acting in this spirit, Mr. Clay, and his patriotic and able associates, succeeded beyond all the hopes at that time entertained at home, in making a treaty, which, in putting a stop to the war, if it did not accomplish everything contended for, saved and secured, at all points, the honor of the United States.

Thus began and ended the war of 1812. On our part it was just and necessary, and, in its results, eminently beneficial and honorable.

The benefits have extended to all the world, for, in vindicating our own maritime rights, we established the freedom of the seas to all nations, and since then no one of them has arrogated any supremacy upon that ocean given by the Almighty as the common and equal inheritance of all.

To Henry Clay, as its chief mover and author, belongs the statesman's portion of the glory of that war; and to the same Henry Clay, as one of the makers and signers of the treaty by which it was terminated, belong the blessings of the peacemaker. His crown is made up of the jewels of peace and of war.

Prompt to take up arms to resent our wrongs and vindicate our national rights, the return of peace was yet gladly hailed by the whole country. And well it might be. Our military character, at the lowest point of degradation when we dared the fight, had been retrieved. The national honor, insulted at all the courts of Europe, had been redeemed; the freedom of the seas secured to our flag and all who sail under it; and what was most influential in inspiring confidence at home, and assuring respect abroad, was the demonstration, by the result of the late conflict, of the competency of this government for effective war, as it had before proved itself for all the duties of a season of peace.

The Congress which succeeded the war, to a seat in which Mr. Clay was elected while yet abroad, exhibited a feature of a national jubilee, in place of the gravity and almost gloom which had settled on the countenance of the same body during the latter part of the war and of the conference at Ghent. Joy shone on every face. Justly has that period been termed "the era of good feeling." Again placed in the chair of the House of Representatives, and all important questions being then considered as in committee of the whole, in which the Speaker descends to the floor of the House, Mr. Clay distinguished himself in the debates upon every question of interest that came up, and was the author, during that and following Con-

gresses, of more important measures than it has been the fortune of any other member, either then or since, to have his name identified with.

It would exceed the proper limits of this discourse to particularize all those measures. I can do no more than refer to a very few of them, which have become landmarks in the history of our country.

First in order of these was his origination of the first proposition for the recognition of the independence of the states of South America, then struggling for liberty. This was on the 24th of March, 1818. It was on that day that he first formally presented the proposition to the House of Representatives. But neither the President nor Congress was then prepared for a measure so bold and decisive, and it was rejected by a large majority of the House, though advocated and urged by him with all the vehemence and power of his unsurpassed ability and eloquence. Undaunted by this defeat, he continued to pursue the subject with all the inflexible energy of his character. On the 3d of April, 1820, he renewed his proposition for the recognition of South American independence, and finally succeeded, against strong opposition, not only in passing it through the House of Representatives, but in inducing that body to adopt the emphatic and extraordinary course of sending it to the President by a committee especially appointed for the purpose. Of that committee Mr. Clay was the chairman, and, at its head, performed the duty assigned them. In the year 1822 Mr. Clay's noble exertions on this great subject were crowned with complete success by the President's formal recognition of South American independence, with the sanction of Congress.

It requires some little exertion, at this day, to turn our minds back and contemplate the vast importance of the revolutions then in progress in South America, as the subject was then presented, with all the uncertainties and perils that surrounded it. Those revolutions constituted a great movement in the moral and political world. By their results great interests and great principles throughout the civilized world, and especially in our own country, might, and probably would, be materially affected.

Mr. Clay comprehended the crisis. Its magnitude and its character were suited to his temper and to his great intellect.

He saw before him, throughout the vast continent of South America, the people of its various states or provinces struggling to cast off that Spanish oppression and tyranny which for three hundred years had weighed them down and seeking to reclaim and re-establish their long-lost liberty and independ-

ence. He saw them not only struggling but succeeding, and with their naked hands breaking their chains and driving their oppressors before them. But the conflict was not yet over; Spain still continued to wage formidable and desperate hostilities against her colonies to reduce them to submission. They were still struggling and bleeding, and the result yet depended on the uncertain issues of war.

What a spectacle was there presented to the contemplation of the world! The prime object of attention and interest there to be seen was *man bravely struggling for liberty*. That was enough for Henry Clay. His generous soul overflowed with sympathy. But this was not all; there were graver and higher considerations that belonged to the subject, and these were all felt and appreciated by Mr. Clay.

If South America was resubjugated by Spain, she would in effect become European and relapse into the system of European policy,—the system of legitimacy, monarchy, and absolutism. On the other hand, if she succeeded in establishing her independence, the *principle* of free institutions would be established with it, and republics, kindred to our own, would rise up to protect, extend, and defend the rights and liberties of mankind.

It was not, then, a mere struggle between Spain and her colonies. In its consequences, at least, it went much further, and, in effect, was a contest between the great antagonist *principles* and *systems* of arbitrary European governments and of free American governments. Whether the millions of people who inhabited, or were to inhabit, South America, were to become the victims and the instruments of the arbitrary *principle*, or the supporters of the *free principle*, was a question of momentous consequence now and in all time to come.

With these views, Mr. Clay, from sympathy and policy, embraced the cause of South American independence. He proposed no actual intervention in her behalf, but he wished to aid her with all the moral power and encouragement that could be given by a welcome recognition of her by the government of the United States.

To him belongs the distinguished honor of being the *first* among the statesmen of the world to espouse and plead the cause of South America, and to propose and urge the recognition of her independence. And his own country is indebted to him for the honor of being the first nation to offer that recognition.

When the magnitude of the subject, and the weighty interest and consequences attached to it, are considered, it seems to me that there is no more palmy day in the life of Mr. Clay than that in which, at the head of his committee, he presented to the

President the resolution of the House of Representatives in favor of the recognition of South American independence.

On that occasion he appears in all the sublimity of his nature, and the statesman, invested with all the sympathies and feelings of humanity, is enlarged and elevated into the character of the friend and guardian of universal liberty.

How far South America may have been aided or influenced in her struggles by the recognition of our government, or by the noble appeals which Mr. Clay had previously addressed, in her behalf, to Congress and to the world, we cannot say; but it is known that those speeches were read at the head of her armies, and that grateful thanks were returned. It is not too much to suppose that he exercised great and, perhaps, decisive influence in her affairs and destinies.

Years after the first of Mr. Clay's noble exertions in the cause of South America, and some time after those exertions had led the government of the United States to recognize the new States of South America, they were also recognized by the government of Great Britain, and Mr. Canning, her minister, thereupon took occasion to say, in the House of Commons, "there (alluding to South America) I have called a new world into existence!" That was a vain boast. If it can be said of any man, it must be said of Henry Clay, that he called that "new world into existence."\*

Mr. Clay was the father of the policy of internal improvement by the general government. The expediency of such legislation had, indeed, been suggested, in one of his later annual messages to Congress, by President Jefferson, and that suggestion was revived by President Madison in the last of *his* annual messages. The late Bank of the United States having been then just established, a bill passed, in supposed conformity to Mr. Madison's recommendation, for setting aside the annual bonus, to be paid by the bank, as a fund for the purposes of internal improvement. This bill Mr. Madison very unexpectedly, on the last day of the term of his office, returned to the House of Representatives without his signature, assigning the reasons for his withholding it,—reasons which related rather to the form than the substance,—and recommending an amendment to the Constitution to confer upon Congress the necessary power to carry out that policy. The bill of course fell through for that session. Whilst this bill was on its passage, Mr. Clay had spoken in favor of it, declaring his own decided opinion in favor of the constitutionality and expediency of the measure. Mr. Monroe, immediately succeeding Mr. Madison in the Presidency,

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\* See Mr. Rush's letter to Mr. Clay, vol. i. Collins's Life of Henry Clay.

introduced into his first annual message a declaration, in advance of any proposition on the subject, of a settled conviction on his mind that Congress *did not* possess the right to enter upon a system of internal improvement. But for this declaration, it may be doubted that the subject would have been again agitated so soon after Mr. Madison's veto. The threat of a recurrence to that resort by the new President roused up a spirit of defiance in the popular branch of Congress, and especially in the lion heart of Mr. Clay; and by his advice and counsel a resolution was introduced declaring that Congress *has* power, under the Constitution, to make appropriations for the construction of military roads, post-roads, and canals. Upon this proposition, in committee of the whole House, Mr. Clay attacked, with all his powers of argument, wit, and raillery, the interdiction in the message.

He considered that the question was now one between the executive on the one hand, and the representatives of the people on the other, and that it was so understood by the country; that if, by the communication of his opinion to Congress, the President intended to prevent discussion, he had "most wofully failed;" that in having (Mr. Clay had no doubt the best motives) *volunteered* his opinion upon the subject, he had "inverted the order of legislation by beginning where it should end;" and, after an able and unanswerable argument on the question of the power, concluded by saying, "*If we do nothing this session but pass an abstract resolution on the subject*, I shall, under all circumstances, consider it a triumph for the best interest of the country, of which posterity will, if we do not, reap the benefit." And the abstract resolution *did* pass by a vote of 90 to 75; and a triumph it was which Mr. Clay had every right to consider as his own, and all the more grateful to his feelings because he had hardly hoped for it.

Referring on the final success, at a distance of thirty-five years, of the *principle* thus established, in the recent passage by Congress of the act for the improvement of certain of the ports and harbors and navigable rivers of the country, let "posterity" not forget, on this occasion, to what honored name is undoubtedly due the credit of the first legislative assertion of the power.

Mr. Clay was, perhaps, the only man since Washington, who could have said, with entire truth, as he did, "*I had rather be right than be President.*" Honor and patriotism were his great and distinguishing traits. The first had its spring and support in his fearless spirit; the second in his peculiar Americanism of sentiment. It was those two principles which ever threw his whole soul into every contest where the public interest was deeply involved, and above all, into every question which in the

least menaced the integrity of the Union. This last was, with him, *the Ark of the Covenant*; and he was ever as ready to peril his own life in its defense as he was to pronounce the doom of a traitor on any one who would dare to touch it with hostile hands. It was the ardor of this devotion to his country, and to the sheet-anchor of its liberty and safety, the union of the States, that rendered him so conspicuous in every conflict that threatened either the one or the other with harm. All are familiar with his more recent, indeed, his last, great struggle for his country, when the foundations of the Union trembled under the fierce sectional agitation, so happily adjusted and pacified by the wise measures of compromise which he proposed in the Senate, and which were, in the end, in substance adopted. That brilliant epoch in his history is fresh in the memory of all who hear me, and never will be forgotten by them. An equally glorious success, achieved by his patriotism, his resoluteness, and the great power of his oratory, was one which few of this assembly are old enough vividly to remember; but which, in the memory of those who witnessed the effort, and the success of that greatest triumph of his master-spirit, will ever live the most interesting in the life of the great statesman. I mean the Missouri controversy. Then, indeed, did common courage quail, and hope seemed to sink before the storm that burst upon and threatened to overwhelm the Union.

Into the history of what is familiarly known as the "Missouri Question," it is not necessary, if time would allow, that I should enter at any length. The subject of the controversy, as all my hearers know, was the disposition of the House of Representatives, manifested on more than one occasion, and by repeated votes, to require—as a condition of the admission of the Territory of Missouri into the Union as a State—the perpetual prohibition of the introduction of slavery into the Territories of the United States west of the Mississippi. During the conflict to which this proposition gave rise in 1820, the debates were from the beginning earnest, prolonged, and excited. In the early stages of them Mr. Clay exerted to the utmost his powers of argument, conciliation, and persuasion, speaking, on one occasion, it is stated, for four and a half hours without intermission. A bill finally passed both houses, authorizing the people of the Territory of Missouri to form a constitution of State government, with the prohibition of slavery *restricted* to the territory lying north of 36 deg. 30 min. of north latitude.

This was in the first session of the Sixteenth Congress, Mr. Clay still being Speaker of the House. On the approach of the second session of this Congress, Mr. Clay, being compelled by his private affairs to remain at home, forwarded his resigna-

tion as Speaker, but retained his seat as a member, in view of the pendency of this question. Mr. Taylor, of New York, the zealous advocate of the prohibition of slavery in Missouri and elsewhere in the West, was chosen *Speaker* to succeed Mr. Clay. This fact, of itself, under all the circumstances, was ominous of what was to follow. Alarmed, apparently, at this aspect of things, Mr. Clay resumed his seat in the House on the 16th of January, 1821. The constitution formed by Missouri and transmitted to Congress, under the authority of the act passed in the preceding session, contained a provision (superfluous even for its own object) making it the duty of the General Assembly, as soon as might be, to pass an act to prevent free negroes and mulattoes from coming to or settling in the State of Missouri "upon any pretext whatever." The reception of the constitution with this offensive provision in it was the signal of discord apparently irreconcilable, when, just as it had risen to its height, Mr. Clay, on the 16th of January, 1821, resumed his seat in the House of Representatives. Less than six weeks of the term of Congress then remained. The great hold which he had upon the affections, as well as the respect, of all parties induced upon his arrival a momentary lull in the tempest. He at once engaged earnestly and solicitously in counsel with all parties in this alarming controversy, and on the 2d of February moved the appointment of a committee of thirteen members to consider the subject. The report of that committee, after four days of conference, in which the feelings of all parties had clearly been consulted, notwithstanding it was most earnestly supported by Mr. Clay in a speech of such power and pathos as to draw tears from many hearers, was rejected by a vote of 83 nays to 80 yeas. No one, not a witness, can conceive the intense excitement which existed at this moment within and without the walls of Congress, aggravated as it was by the arrival of the day for counting the electoral votes for President and Vice-President, among which was tendered the vote of Missouri as a State, though not yet admitted as such. Her vote was disposed of by being counted hypothetically, that is to say, that *with* the vote of Missouri, the then state of the general vote would be so and so; *without* it, so and so. If her vote, admitted, would have *changed the result*, no one can pretend to say how disastrous the consequences might not have been.

On Mr. Clay alone now rested the hopes of all rational and dispassionate men for a final adjustment of this question; and one week only, with three days of grace, remained of the existence of that Congress. On the 22d of the month, Mr. Clay made a last effort, by moving the appointment of a joint com-

mittee of the two houses, to consider and report whether it was expedient or not to make provision for the admission of Missouri into the Union on the same footing of the original States; and, if not, whether any other provision, adapted to her actual condition, ought to be made by law. The motion was agreed to, and a committee of twenty-three members appointed by ballot under it. The report by that committee (a modification of the previously *rejected* report) was ratified by the House, but by the close vote of 87 to 81. The Senate concurred, and so this distracting question was at last settled, with an acquiescence in it by all parties, which has never been since disturbed.

I have already spoken of this as the great triumph of Mr. Clay; I might have said, the greatest civil triumph ever achieved by mortal man. It was one towards which the combination of the highest ability and the most commanding eloquence would have labored in vain. There would still have been wanting the ardor, the vehemence, the impetuousness of character of Henry Clay, under the influence of which he sometimes overleaped all barriers, and carried his point literally by storm. One incident of this kind is well remembered in connection with the Missouri question. It was in an evening sitting, whilst this question was yet in suspense. Mr. Clay had made a motion to allow one or two members to vote who had been absent when their names were called. The Speaker (Mr. Taylor), who, to a naturally equable temperament, added a most provoking calmness of manner when all around him was excitement, blandly stated, for the information of the gentleman, that the motion "was not in order." Mr. Clay then moved to suspend the rule forbidding it, so as to allow him to make the motion; but the Speaker, with imperturbable serenity, informed him that, according to the rules and orders, such a motion could not be received without the unanimous consent of the House. "Then," said Mr. Clay, exerting his voice even beyond its highest wont, "*I move to suspend ALL the rules of the House! Away with them!* Is it to be endured, that we shall be trammelled in our action by mere forms and technicalities at a moment like this, when the peace, and perhaps the existence, of this Union is at stake?"

Besides those to which I have alluded, Mr. Clay performed many other signal public services, which would have illustrated the character of any other American statesman. Among these we cannot refrain from mentioning his measures for the protection of American industry, and his compromise measure of 1833, by which the country was relieved from the dangers and agitations produced by the doctrine and spirit of "nullification." Indeed, his name is identified with all the great measures of government during the long period of his public life. But the

occasion does not permit me to proceed further with this review of his public services. History will record them to his honor.

Henry Clay was indebted to no adventitious circumstances for the success and glory of his life. Sprung from an humble stock, "he was fashioned to much honor from his cradle;" and he achieved it by the noble use of the means which God and nature had given him. He was no scholar, and had none of the advantages of collegiate education. But there was a "divinity that stirred within him." He was a man of a genius mighty enough to supply all the defects of education. By its keen, penetrating observation, its quick apprehension, its comprehensive and clear conception, he gathered knowledge without the study of books; he could draw it from the fountain-head,—pure and undefiled; it was unborrowed; the acquisition of his own observation, reflection, and experience; and all his own. It entered into the composition of the man, forming part of his mind, and strengthening and preparing him for all those great scenes of intellectual exertion or controversy in which his life was spent. His armor was always on, and he was ever ready for the battle.

This mighty genius was accompanied, in him, by all the qualities necessary to sustain its action, and to make it most irresistible. His person was tall and commanding, and his demeanor—

"Lofty and sour to them that loved him not;  
But to those men that sought him sweet as summer."

He was direct and honest, ardent and fearless, prompt to form his opinions, always bold in their avowal, and sometimes impetuous or even rash in their vindication. In the performance of his duties he feared no responsibility. He scorned all evasion of untruth. No pale thoughts ever troubled his decisive mind.

"Be just and fear not" was the sentiment of his heart and the principle of his action. It regulated his conduct in private and public life; all the ends he aimed at were his country's, his God's, and truth's.

Such was Henry Clay, and such were his talents, qualities, and objects. Nothing but success and honor could attend such a character. We have adverted briefly to some portions of his public life. For nearly half a century he was an informing spirit, brilliant and heroic figure in our political sphere, marshaling our country in the way she ought to go. The "bright track of his fiery car" may be traced through the whole space over which in his day his country and its government have passed in the way to greatness and renown. It will still point the way to further greatness and renown.

The great objects of his public life were to preserve and strengthen the Union, to maintain the Constitution and laws of the United States, to cherish industry, to protect labor, and to facilitate, by all proper national improvements, the communication between all the parts of our widely-extended country. This was his American system of policy. With inflexible patriotism he pursued and advocated it to his end. He was every inch an American. His heart and all that there was of him were devoted to his country, to its liberty, and its free institutions. He inherited the spirit of the Revolution in the midst of which he was born; and the love of liberty and the pride of freedom were in him principles of action.

A remarkable trait in the character of Mr. Clay was his inflexibility in defending the public interest against all schemes for its detriment. His exertions were, indeed, so steadily employed and so often successful in protecting the public against the injurious designs of visionary politicians or party demagogues, that he may be almost said to have been, during forty years, the guardian angel of the country. He never would compromise the public interest for anybody, or for any personal advantage to himself.

He was the advocate of liberty throughout the world, and his voice of cheering was raised in behalf of every people who struggled for freedom. Greece, awakened from a long sleep of servitude, heard his voice, and was reminded of her own Demosthenes. South America, too, in her struggle for independence, heard his brave words of encouragement, and her fainting heart was animated and her arm made strong.

Henry Clay is the fair representative of the age in which he lived,—an age which forms the greatest and brightest era in the history of man,—an age teeming with new discoveries and developments, extending in all directions the limits of human knowledge, exploring the agencies and elements of the physical world and turning and subjugating them to the uses of man, unfolding and establishing practically the great principles of *popular rights* and free governments, and which, nothing doubting, nothing fearing, still advances in majesty, aspiring to, and demanding further improvement and further amelioration of the condition of mankind.

With the chivalrous and benignant spirit of this great era Henry Clay was thoroughly imbued. He was, indeed, moulded by it and made in its own image. That spirit, be it remembered, was not one of licentiousness, or turbulence, or blind innovation. It was a wise spirit, good and honest as it was resolute and brave; and truth and justice were its companions and guides.

These noble qualities of truth and justice were conspicuous in the whole public life of Henry Clay. On that solid foundation he stood erect and fearless; and when the storms of state beat around and threatened to overwhelm him, his exclamation was still heard, "truth is mighty and public justice certain." What a magnificent and heroic figure does Henry Clay here present to the world! We can but stand before and look upon it in silent reverence. His appeal was not in vain; the passions of party subsided; truth and justice resumed their sway, and his generous countrymen repaid him for all the wrong they had done him with gratitude, affection, and admiration in his life and tears for his death.

It has been objected to Henry Clay that he was ambitious. So he was. But in him ambition was virtue. It sought only the proper, fair objects of honorable ambition, and it sought these by honorable means only,—by so serving the country as to deserve its favors and its honors. If he sought office, it was for the purpose of enabling him by the power it would give, to serve his country more effectually and pre-eminently; and, if he expected and desired thereby to advance his own fame, who will say that was a fault? Who will say that it was a fault to seek and desire office for any of the personal gratifications it may afford, so long as those gratifications are made subordinate to the public good?

That Henry Clay's object in desiring office was to serve his country, and that he would have made all other considerations subservient, I have no doubt. I knew him well; I had full opportunity of observing him in his most unguarded moments and conversations, and I can say that I have never known a more unselfish, a more faithful or intrepid representative of the *people*, of the people's rights, and the people's interests, than Henry Clay.

It was most fortunate for Kentucky to have such a representative, and most fortunate for him to have such a constituent as Kentucky,—fortunate for him to have been thrown, in the early and susceptible period of his life, into the primitive society of her bold and free people. As one of her children, I am pleased to think that from that source he derived some of that magnanimity and energy which his after-life so signally displayed. I am pleased to think, that, mingling with all his great qualities, there was a sort of *Kentuckyism* (I shall not undertake to define it) which, though it may not have polished or refined, gave to them additional point and power, and free scope of action.

Mr. Clay was a man of profound judgment and strong will. He never doubted or faltered; all his qualities were positive and peremptory, and to his convictions of public duty he sacrificed every personal consideration.

With but little knowledge of the rules of logic, or of rhetoric, he was a great debater and orator. There was no art in his eloquence,—no studied contrivances of language. It was the natural outpouring of a great and ardent intellect. In his speeches there were none of the trifles of mere fancy and imagination; all was to the subject in hand, and to the purpose; and they may be regarded as great actions of the mind, rather than fine displays of words. I doubt whether the eloquence of Demosthenes or Cicero ever exercised a greater influence over the minds or passions of the people of Athens and of Rome, than did Mr. Clay's over the minds and passions of the people of the United States.

You all knew Mr. Clay; your knowledge and recollection of him will present him more vividly to your minds than any picture I can draw of him. This I will add: He was, in the highest, truest sense of the term, a great man, and we ne'er shall look upon his like again. He has gone to join the mighty dead in another and better world. How little is there of such a man that can die? His fame, the memory of his benefactions, the lessons of his wisdom, all remain with us; over these death has no power.

How few of the great of this world have been so fortunate as he? How few of them have lived to see their labors so rewarded? He lived to see the country that he loved and served advanced to great prosperity and renown, and still advancing. He lived till every prejudice which, at any period of his life had existed against him, was removed; and until he had become the object of the reverence, love, and gratitude of his whole country. His work seemed then to be completed, and fate could not have selected a happier moment to remove him from the troubles and vicissitudes of this life.

Glorious as his life was, there was nothing that became him like the leaving of it. I saw him frequently during the slow and lingering disease which terminated his life. He was conscious of his approaching end, and prepared to meet it with all the resignation and fortitude of a Christian hero. He was all patience, meekness, and gentleness; these shone round him like a mild, celestial light, breaking upon him from another world,

“And, to add greater honors to his age  
Than man could give, he died fearing God.”

(J. J. Crittenden to his daughter Mrs. A. M. Coleman.)

WASHINGTON, January 24, 1853.

MY DEAR DAUGHTER,—I received, a few days ago, your letter from New York, and was pleased to hear of your safe arrival at that place. We are all awaiting with some anxiety to see you

here, and I hope your stay in New York will not be prolonged beyond the period you have fixed,—this day week. That would not allow you more than time to get here and rest for Mrs. Burnley's great party, at which she wishes Florence and yourself to be present, and which she has postponed for that purpose to the 3d. This will be a much more agreeable place for you, at this time, than New York, excepting only the society of Mrs. Sterling, and I presume, from your *well-known gifts*, that *you* and *she* in less than a week might, in sailor phrase, "have spun all your yarns," long as they may be. As soon as that work is done, I think you had better come at once to Washington. I send a check for a hundred dollars as a present for Florry, and as an acceptable addition, I hope, to her outfit for her present mission. Burnleys are well and impatiently expecting you.

Your father,

Mrs. ANN MARY COLEMAN.

J. J. CRITTENDEN.

(Hon. Edward Everett to J. J. Crittenden.)

DEPARTMENT OF STATE, February 26, 1853

MY DEAR COLLEAGUE,—I informed General Pierce that you propose to tender your resignation on the 4th of March, but that if he desires it, you are willing to continue to act till your successor is appointed. He stated in reply that he would be gratified to have you pursue this course.

Having been requested to prepare a form of resignation to be used by all the members of President Fillmore's cabinet, I transmit you the inclosed. If it meets your approbation, please sign and return it to me. I will see that it is placed in General Pierce's hands at the proper time.

I remain with much regard, sincerely yours,

EDWARD EVERETT.

Hon. J. J. CRITTENDEN.

(Franklin Pierce to J. J. Crittenden.)

EXECUTIVE MANSION, March 4, 1853.

SIR,—I have the honor to acknowledge the reception of your letter of this date, tendering to me the resignation of your office as Attorney-General, and expressing your readiness to continue in the discharge of your official duties until a successor shall have been appointed.

I highly appreciate the considerations of courtesy and of public duty which induced this act, and with great satisfaction avail myself of your proffered service.

I am very respectfully, your obedient servant,

FRANKLIN PIERCE.

Hon. J. J. CRITTENDEN,  
Attorney-General.

(J. J. Crittenden to his wife Elizabeth.)

INDIANAPOLIS, November 29, 1853.

MY DEAR WIFE,—I wrote to you last night, and without remembering exactly the contents, I fear it was too much of a *love letter*. I must avoid such transgressions as far as possible. Indeed, I am not now in the melting mood, but rather out of humor. The case in court, which delays mine, and was expected to be concluded to-day, has been conducted so tediously that it is still under trial, and will consume to-morrow. In addition to this I learn to-night that the adversary lawyers will continue my case when it is called, and so I may have to return without doing anything. My spirit is vexed with all this, though, as you know, I am a very pleasant and amiable man. Am I not? I must wait till to-morrow to see if my cause is continued. If it is, I will be with you the next day, if not, I shall be detained till Saturday. In the mean time enjoy yourself and be happy,—happy as a gay young widow *can be*. I am well, but feel solitary without you. Believe me that I love you with all my heart.

J. J. CRITTENDEN.

Mrs. ELIZABETH CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

INDIANAPOLIS, December 2, 1853.

MY DEAR WIFE,—This evening I am without a letter from you. Something has prevented your writing. I mean no chiding about it, but only that I have lost that greatest pleasure which is now my daily *anticipation*,—a letter from you. I have been all day, from half-past eight o'clock till dark, engaged in my case, and we are not yet through with the evidence on the part of the plaintiff. Be patient; the delay will only add to the pleasure of our meeting. I will be back as soon as possible, and, I hope, with a good fee. In the mean time be cheerful and happy. God bless and preserve my own dear wife.

Your husband,

Mrs. ELIZABETH CRITTENDEN.

J. J. CRITTENDEN.

## CHAPTER IV.

1853-1854.

Ward Trial, Speech of Mr. Crittenden—Letter from the Bar of the Court of Appeals of Kentucky, and Mr. Crittenden's Reply.

### THE WARD TRIAL.

#### SPEECH OF MR. CRITTENDEN.

**G**ENTLEMEN OF THE JURY,—I agree with the counsel who have spoken on behalf of the prosecution as to the importance of this case. Its magnitude can scarcely be overrated. The State has an interest in it. It is not a desire for vengeance; the State seeks no vengeance against its own citizens. But its interest is a paternal one, like that of a father in the midst of his family. Its interest is that its laws may be administered, and that its citizens shall receive from that administration a just and merciful protection.

The defendant has an interest in it. He has everything at stake—his life, his liberty, his character, and the feelings and sympathies of those who by ties of friendship or of nature are associated and allied with him. All these are at stake; and you are the men who have been selected to arbitrate and decide this mighty issue.

Gentlemen, we have all cause to rejoice that we live under a government which guarantees to every man the right of trial by jury. Without it, no freeman can be touched in life or liberty. For ages this right has been the inheritance of our race. Our progenitors established it in the Old World; and our fathers have struggled for it as a thing indispensable to the security of their lives and their liberties.

You may wonder why it is they have been thus solicitous to preserve this right of trial by jury. You may inquire why they have not rather left it to the courts to try men who are charged with crime. The judges on the bench are usually able and honest men—men of superior wisdom to those who ordinarily compose a jury; men with greater knowledge of law, and men of undoubted integrity.

It is not so much from any distrust of the judges, or fears

that they might be swayed improperly, that this right has been preserved; but from a deeper and wiser motive. It is not because the people are equally learned with them, but because they are less learned. It is because the law desires no man to be molested in his life or liberty until the popular sanction has been given to his sentence, and his cause pronounced upon by a jury of his peers. The court is expected to render all necessary assistance in stating the law; but his cause, in passing through the minds and hearts of his equals who are trying it, will be divested of all nice technicalities and subtle analogies, and decided on its simple merits, and according to the dictates of reason.

The life of a man should be taken on no other judgment. You may lay down the law like a problem in Euclid; you may take one fact here and another there; connect this principle and that proposition, and then from one to the other reason plausibly and even logically that a man should receive sentence of death. But it was to avoid all this that this glorious right has been kept inviolate. It was to bring the accused face to face with his accusers, and to suffer only a jury of his equals, with their warm hearts and honest minds, to pronounce upon a cause involving his life or his liberty. This, gentlemen, as I understand it, is the object of jury trials. Were cases left to the judgment of the courts, a man's destiny might depend on some subtle and difficult question of law; but now it is different. When you consider a case, it is divested of all such questions, and appeals to you as able to judge of the facts—as familiar with the passions and motives of men—as those who will rest it on its simple merits alone, and will only condemn for reasons that are sure, and solid, and satisfactory to your own understandings.

You are a jury of Kentuckians; and I have too much respect for you, too much respect for myself, in this important case, to deal with you by means of entreaty or flattery. But I may say that I have confidence in you, and that I look forward with sanguine hopes to the verdict you are to render. I expect you to do your duty manfully and firmly; and I expect you to do it, notwithstanding all that has been said to the contrary, mercifully. I expect you to do it on principles compatible with public security, and it is my duty to show you that you may acquit the prisoner at the bar on such principles.

The accused is before you in a house of Kentucky justice, and all vengeance must cease to pursue him at this threshold. This is his sanctuary—here the sway of the law is potent. Here the voice of justice—justice tempered with mercy—is heard—that voice which falls in sounds of terror on the guilty

heart, but whispers, in songs of seraphs, peace and joy to the innocent.

The case, gentlemen, is one that demands all your attention. Thus far it has engrossed it; for I never have had the honor of addressing a jury in any case who have given, during its whole progress, evidence of more patient and unwearied attention. I am consoled by the belief that you know the evidence as well or better than I do, and I only ask that you will weigh it carefully in all its bearings and influence, making the proper discriminations, earnestly striving to ascertain the real motive of this accused, and then render that verdict which is demanded by your oaths and the laws of your land.

I will first proceed to an examination of the evidence, and will then endeavor to bring to your attention the law I believe applicable to it. And I hope to satisfy you that the law when applied to the facts entitles the defendant to a verdict of acquittal,—a verdict which, under all the circumstances of the case, would cause Mercy herself to rejoice.

What, then, is the case briefly stated? William Ward, a boy of fifteen years and a scholar in the Louisville High School, returns home during the absence of his parents and informs his elder brother that he has been unjustly and severely whipped by Mr. Butler, the principal. "And though I could have borne that, brother," he says, "I could not well bear to be called a liar before the whole school—my companions and my equals. I wish you would go and see Mr. Butler about it." It is four o'clock in the evening when he gives his brother information of the chastisement he deemed so cruel and unjust, accompanied by such an appeal. That brother—the prisoner at the bar—determined to go around at once and ask an explanation; but supposing the school to be dismissed and the teacher not present at that hour, he concludes to wait until the following morning. Then the parents have reached home; but, as the occurrence took place during their absence, he obtains the consent of the father to go round and ascertain the reason of it. He goes, and in a conflict in which he becomes involved, the death of Mr. Butler ensues. This is a general view of the case; but it is necessary for us to examine it more particularly.

The purpose for which he went to the school-house was undoubtedly a lawful one. If a child is whipped, particularly when the chastisement is so severe as to leave marks upon the limbs, I ask if it is not only lawful but in fact a paternal duty to go and inquire the cause and learn why such punishment was administered? Certainly it is. And it is equally lawful and proper for the brother to go, especially when, as in this case, he has the consent and sanction of the father. The ac-

cused then stood in the place of the father, and had the paternal right to go on the errand that took him to the school-house. This point I consider settled.

Why, then, are we to infer a malicious and wicked motive on his part for doing that which is clearly lawful and justifiable and proper? The correct presumption would certainly be that the motive was as good and lawful as the act itself. It is contended that he went with malice; but you have heard the testimony on this point—you have heard that of Mrs. Robert J. Ward—given in a tone and manner that must have carried conviction to your hearts; and you know what inducements and reasons there were for the defendant to seek an interview with Prof. Butler. You have heard that the parents had just returned from Cincinnati, when the watchful eye of the mother observed Willie at home, and she asked why he was not at school. The little fellow, still mortified at the memory of his own shame, burst into tears and replied, "Brother Matt. will tell you." And that brother did tell her, adding, "I designed to have gone around to seek an explanation last night, but the hour was so late that the school was not in session; so I postponed it until this morning." When the father proposed that *he* should go, the accused replied, "This occurred while you were away, and I was here, and I think, father, you ought to let me go." And in fact, during the absence of the father, the accused was the head of the family.

It was decided that he should go; and then Mrs. Ward indulged in one of those maternal anxieties and apprehensions that so often rise in the heart of the mother. He endeavored to quiet them, but when he was at the door she suggested that Robert should go with him. He had made no request of the kind; he was not desirous of the company or assistance of his brother; but on the contrary, when it was urged upon him, replied, "I apprehend no difficulty; Mr. Butler is a gentleman; and as I only ask what justice demands, I am sure he will do all I desire." Gentlemen, I think this is no unimportant fact in tracing the motives of the prisoner. Even, at last, when he submitted to the proposition that his brother should go it was with impatience. He was reminded that Sturgus was his enemy, yet he went, knowing the justice of his intentions, and fearing neither Sturgus nor any one else, only acceding to the request of his mother to quiet her own apprehensions.

This, I think, is a fair statement of the case. I desire to learn why and wherefore he went to the school-house, and what were the motives that actuated him. And I think every circumstance speaks out that there was no wickedness in his heart; that he not only went to do what was proper and lawful, but to perform a duty that devolved upon him. Did Mr. Robert Ward appre-

hend difficulty? Certainly not; he knew Butler—knew the object and feelings of the accused; he swears to you that if he had even conjectured difficulty might ensue he would have gone himself. And that mother—can you believe that when she parted with him at the door she thought she was sending her son on an errand of blood, a mission of revenge? The idea is too horrible to contemplate. Neither the father nor mother expected the least difficulty with Butler, though the prudent apprehensions of the latter suggested that there might possibly be some interference on the part of Sturgus. But Ward and Butler were friends—they had mutual respect for each other.

Well, they left the house—Willie going along to get his books, and Robert, at the instance of his mother. What was the conversation on the way? It may tend to throw some light on the question at issue. The testimony of Robert Ward, gentlemen, may require hereafter more attention than I can give it at this point. But for the present, it is sufficient to state that he did not know that his brother was armed, and that he had not the least expectation of difficulty. On the way Matt. tells him,—it was not all detailed here, but this was evidently the burden of the conversation,—“I am going to seek explanation and apology for an injury done to brother Willie. I did not want you with me; you are young and hasty; you do not know the circumstances of the case, and you might act indiscreetly. I apprehend no difficulty—Butler is a gentleman and will do what is right; and I desire you not to have a word to say.” It was as much as to say, “I would you were at home, Robert, but now you are here, do not interfere by word or deed.” But little Willie, who has heard this objection, says: “Ah, brother, but Mr. Sturgus is there!”—not Butler, but Sturgus,—“and you know he has a big stick!” Matt. replies: “Why, I shall have nothing to do with Sturgus,—my application is to Butler.” Then he turns to Robert, and adds: “If, however, Sturgus and Butler both attack me, you may interfere.” He conjectured the possibility of this only to soothe the feelings of the little boy. He had already made Robert passive; but listening to the suggestion, must excite his anxious and brotherly apprehension; therefore he said: “If such a thing does occur—which I do not expect—you *may* keep off Sturgus.”

Does this look like an intention to commit murder? On the contrary, do not all these circumstances go to exclude the idea of any hostile feeling, any malignant purpose, or any design to attack or do an unlawful act on the part of the accused? Further, to prove that there is no possibility of malice, we have shown you how he had been making preparations for several days, and even on that very morning, to depart for his plantation in Ar-

kansas. His mind was not bent on mischief, but engaged in a legitimate and proper channel. All the facts go to negative the presumption of malice or of any wicked purpose.

But he had been told, and he knew before, that Sturgus was his enemy. He knew that by some remote possibility the visit might lead to a collision and combat with him. He was very weak,—utterly unable to resist any attack that might be made upon him; and therefore it was right for him to arm himself. Is it to be inferred, because a man purchases a pistol, and puts it in his pocket, that he intends to commit murder, unless it is indicated by some subsequent act? You are often in town, perhaps, and if you purchase a rifle there, will that fact subject you to any suspicion? But in town the procuring of pistols is neither more remarkable nor more improper. It is true that when he buys pistols, a man *may* do it with an intention to commit murder; yet when he does an act which may be accounted for lawfully in a thousand ways, but by a possibility may be improper and unlawful, is it right for us to conclude that he must be actuated by the worst possible motives that can be conjectured? In such a case we would be accusing spirits indeed. What would be the condition of human society, what the relations of man to man, were this doctrine carried out?

A man may arm himself for a case of probable danger; he may do it with a view to no specific occurrence, and he may do it in self-defense. Who can object to it? The Constitution guarantees to every man the right to bear arms. No law takes it away, and none ever can. The right of self-defense is an inherent one, given by God, to man. It is our own natural right, and, as Blackstone says, no human legislation can ever take it from us. But how nugatory and vain you render this right, if, when in pursuance of the laws of his country, a man arms himself for any possible contingency and remote danger, you impute to him unlawful motives, and subject him to every sort of imputation of murderous intent!

This precaution on the part of my client indicated no intention of violence. It may have indicated a purpose to defend himself in case of attack, but nothing more. Will you cast aside the thousand other natural constructions, and adhere to that irrational and unsupported one which makes him criminal? That were alike unreasonable and inhuman. But take all the circumstances, and weigh them carefully, and you will see the motive as clearly as you see the act itself; and you will see no design to take life, or to violate the laws of the land.

Then, what was the remainder of the conversation on the way? They met a young lady in Bloomer costume, and talked of the peculiar nature and fashion of that dress. What a sub-

ject for the conversation of a man within a few steps of the point where he intends to commit a malicious and cold-blooded murder!

One of the gentlemen who addressed you for the prosecution announced, in the course of his argument, his disbelief that the accused purchased the pistols with the design to commit murder, or went to the school-house for that purpose. If he did not, he had no criminal intentions. But within half an hour after, the gentleman, becoming more deeply engaged, says, with violent gesticulations, "Ward purchased those pistols with the intent to murder Butler." Thus he assumes contrary positions, and as both of these declarations are made by the same author, I suppose I have a right to receive which I please. I will choose the one, then, that I believe takes the only reasonable and truthful ground,—that he had no such intent. But I will go no further on this point. I think it is fully established that the purpose for which my client visited the school-house was a proper and lawful one. So far, then, we find no offense; when he entered the door he was free from all malice and all criminality. Did anything occur there which made him a murderer? This is the next question for you to consider.

You have heard the testimony as to what transpired at the school-house. No one was there except Matt., Robert, and the pupils. Willie was in the room, but so engaged that he knew nothing of the interview. To prove the nature of that interview thirteen boys have been introduced here by the Commonwealth. Now, gentlemen, before I say a word as to the testimony of these pupils, I wish to have my position clearly understood. The counsel on the other side, with a triumphant air, have come forward and volunteered a defense of the truthfulness and veracity of these boys. But their services have been in advance of any occasion for them—they have only defended what is not attacked at all. Not one of the counsel for the defense has ever intended, or sought to impeach the character of these witnesses. It may be asked, then, what circumstances justify us in the ground we assume as to their testimony? It must be remembered they are but a set of boys, and that they are testifying in regard to a circumstance in which their teacher was killed. They must have been under the influence of excitement and fright. The time which the accused spent in the school-room was at most not more than five or ten minutes. When he entered, they were engaged in their studies, and it was contrary to an explicit regulation of the school to turn around and look up when strangers came in. And when, so unexpectedly, like a flame from the earth, this fearful occurrence broke out in the stillness of that school-room, what must have been the panic of

these boys! You can imagine as well as I. It would have startled men—the calmest and firmest in this jury-box, or this court-room. Benedict, I think, gives a very just idea of the condition of all of them. He says: "I was so much frightened that I couldn't think of anything, or see anything hardly." And whatever the gentlemen may contend, I believe this was the state of all the boys in the room. They may have seen Butler and Ward during the conversation in the early part of the interview; but this was all they saw clearly. One fact alone is sufficient to diminish the weight of their testimony. Not one of them heard all the conversation perfectly. Though one or two are confident that they did, they are contradicted by the others, who heard words and sentences which never reached their ears. No two of them give the same account of it; but, on the contrary, there is much inconsistency and contradiction. It is evident that no one of them saw all the acts, or heard all the conversation, that passed; and this, in addition to the general panic that agitated their minds and confused their recollections, renders it impossible for them to give a fair and perfect history of the occurrence.

"Ah," say the gentlemen, "but the panic was all after the firing of the pistol. Before this, up to the very moment when it took place, they can remember distinctly all that occurred." Is this rational? Is it according to the philosophy of the human mind? Was not the whole mind agitated and stirred, so that the things both immediately preceding and immediately succeeding were thrown into one mass of chaotic confusion? There is no other reasonable inference from the facts. Here, then, a parcel of school-boys are brought up under these circumstances, to testify in a case of life and death,—to testify in regard to a conversation partly heard and acts partly seen. It becomes important that you should know with just how much confidence and with just how much allowance to receive their testimony. Suppose an affray were to occur here now, in this crowded court-room, and the life of one of the parties to be suddenly taken. How many of the men who were present and witnessed it could give a correct and faithful account of the occurrence five minutes after it transpired? You know the character of the human mind, and you know that very few could do it. Transfer it in your minds, then, to the presence only of a parcel of frightened school-boys; and after months have passed, do you believe they are capable of giving a full history of the affair, detailing all the events in the precise order in which they occurred, and even descending to the minutiae of the position of the hands? The mind, and particularly the youthful mind, under such circumstances, is in a state of chaos, and the memory and

the imagination combine, until it is impossible to unravel the tangled web and come at the simple truth. I believe these boys to be intelligent, and honest, and high-minded, and incapable of any intentional misrepresentation. But I believe at the same time that they are incapable of narrating the simple, uncolored circumstances of the case, and of giving testimony on which the life of a man ought to depend.

Another thing: these boys, from eleven to eighteen years of age, since the occurrence of the principal fact we are investigating, have been the scholars, and under the tuition and training, of Mr. Sturgus. With all their natural sympathies on the side of their teacher,—with all these other circumstances tending to give their minds a bias,—they have been from that day to this under the authority and instruction of Sturgus, the enemy of Mr. Ward,—the pursuer of this prisoner. You, who understand the affairs of men, will see the impossibility of a fair and faithful narration of the event from them under such circumstances. You well understand how this man—they not knowing it—by a word properly thrown in, or a statement repeated until they were familiar with it and received it without question, may have exercised great influence and control over the feelings and recollection of these boys. He is their teacher and guardian,—they are under his charge,—and though he was sworn here as a witness for the Commonwealth, he was not introduced upon the stand. Put all these facts together,—and it is your business where the facts are not all known, but a few of potent character are established, to infer the others,—weigh them carefully in your own minds, and then judge for yourselves if the probabilities in regard to the character of the testimony of these boys are not all in favor of the assumption I have made.

Now let us examine the testimony. After the able manner in which it has already been reviewed and considered, it would consume too much of your time to enter into a minute repetition of its details; but I think that I may safely say that from beginning to end no two of these witnesses have perfectly agreed; that their statements contain numerous discrepancies and contradictions; that the account of no one of them is probable and satisfactory, and that they all show, from their disjointed nature, they only contain portions and fragments of the facts that occurred.

If there be any one thing in which there is more concurrence than on other points, it is in the statement that when the parties had exchanged salutations Ward immediately asked, "Which is the more to blame?" etc. Now, would not this be a most extraordinary manner for one gentleman to commence a conversation with another? But four or five of them agree on

this point, and, if you receive their testimony, you must conclude there was no other introduction of the subject, but that these were the first words uttered by the prisoner. Is it reasonable? Does not the very awkwardness of the question, asked in such a manner, indicate a chasm here,—something which did not reach their ears,—some preliminary, if not for the sake of ordinary courtesy, at least to give a comprehensible explanation of the business? And what says Robert Ward on this point? He tells you that Matt. first informed Butler he desired some conversation with him, and, after declining to enter the private room, giving as a reason that the event of which he wished to speak had occurred there, went on to inquire what were his ideas of justice, and *then* propounded the question mentioned, which in that connection came naturally enough. Thus, in the very commencement, Robert Ward gives you the only natural and satisfactory account of the conversation; and this fact alone is sufficient to show you the fragmentary character of the information possessed by the other boys. I know Robert stands here in a position which, by the law, exposes him to imputation; and it is your duty to weigh his testimony carefully, and not to receive it unless you perceive in it intrinsic indications of truth, or it is corroborated by other witnesses of whose veracity you can entertain no doubt. In this case we call the witnesses of our enemy to corroborate him, and contend that even by them he is so fully sustained as to be entitled to your belief.

One of the largest of these boys, and one who heard more of the conversation than any other witness who deposed for the Commonwealth, was Worthington. Yet he did not hear Ward make use of the term "liar" at all, and thus he corroborates the statements of Robert. Again, Robert tells you that the accused introduced the conversation in a natural and reasonable manner, by asking, "Mr. Butler, what are your ideas of justice?" Now, how is it that of these thirteen boys twelve leave this entirely out in their history of the conversation? How is it that, if their opportunities for hearing and seeing were as good, and their recollections as perfect as you are asked to believe, they all disclaim any knowledge of this language? But let us turn for a moment to the testimony of little Pirtle, who frankly confesses he did not hear all that was said, and who was one of the finest and most intelligent boys in the whole school. He tells you that the first words he heard from the accused were something about "ideas of justice" and chestnuts. You must observe that the connection of subjects is a very singular one—one that would not be likely to be suggested to the mind of a school-boy or any one else, unless he had distinctly heard it. The minuteness with which this trivial

point is recollected seems to give it more weight, and to indicate in no unimportant degree the truthfulness of the testimony given you by Robert Ward.

Crawford corroborates him by the fact that he did not hear the lie given. Benedict states that when interrogating Butler, Matt. asked, "Which is the worse, the *boy*?" etc., though all the other scholars state that he used the term "puppy." Now Robert tells you that when he asked the question the first time he did so in the words detailed by Benedict; but that when no answer was given, he repeated it in some irritation, and then changed the phraseology to "the contemptible little puppy." Though the particular may seem trivial, yet I think all these minute facts combined will enable you to form a correct opinion as to the general character of his testimony.

Quigley confirms him. He tells you that Ward was forced back by Butler, before the pistol was fired, against the wall and the door. Is not this a corroboration on a most important point? And he further says, in corroboration, that when Sturgus came out of his room Robert told him to stand back,—not that he told him to come on, as related by some of the other boys. The statement of Quigley as to the condition to which Butler had reduced Ward agrees exactly with that of Robert word for word.

Campbell, however, contradicts Quigley in regard to the language used by Robert to Sturgus; and there are other contradictions between the boys on various points. I might pursue the subject further, but I believe it is unnecessary. I think I have demonstrated that but little reliance can be placed on the testimony of these school-boys: because they do not agree; because of their numerous contradictions; because, however pure their minds may be, it comes to you through all these circumstances of diminished credit, combined with the fact that they have been so long under the care of Sturgus, the enemy of Ward; and by that enmity, as I verily believe, the cause of the unfortunate event which occurred.

Let us look at the testimony of Robert Ward; and, after what has been shown you, I think it is not asking or saying too much to claim that this is the only testimony which has brought order out of disorder,—given the only connected and reasonable account of the whole affair,—a consistent history of the events that transpired,—natural in their course, and leading directly to the results that actually occurred.

You have been told that, according to the testimony of this witness, the accused told Butler he desired a *private* conversation with him; but no such word was used, as your own recollection of his language will readily assure you. It was a public

investigation he desired, and when invited into the recitation-room, he declined, saying, "No, Mr. Butler, the occurrence of which I wish to speak transpired here, and this is the proper place to talk of it." Could there be anything more natural or more proper than this? There the boy was whipped; there he had been called a liar; and there were all his companions who had witnessed the whole transaction.

Butler might have said, "Here are the boys; they witnessed the occurrence, they know all the facts of it, and they shall be called up and the truth of the matter ascertained to your satisfaction." What was it they wished to ascertain? Merely whether Willie gave the chestnuts before or after the recitation order. If before, he had done no wrong and deserved no punishment; if after, he had violated the regulations of the school and was culpable. So upon that fact the whole question depended. What remained, then, for Butler to do but to call up the boys, investigate the matter thoroughly, and, if he had done wrong, make that atonement which was due the injured feelings of the little boy? Would not a father have done the same? If, in a moment of unreflecting haste and anger, he had whipped his son and called him a liar, and the boy had afterwards come to him, asserting that he had done him a wrong, and desiring him to examine the evidence carefully and satisfy himself that this was the case, would he not have done it? With an overflow of paternal feeling and love, would he not readily go into the investigation, and gladly learn that even though he had acted hastily and wrong, his opinion of his son was unjust and incorrect?

If the request had been preferred to a stranger even, he should have acceded to it as an act of simple justice. And in view of the paternal relations of the teacher,—in view, too, of the intimate and friendly relations of this teacher,—when the proper person came to ask it, there should have been no assumption of dignity, no buttoning of the coat and haughty refusal to be interrogated. Would it not have been more in accordance with reason and justice, more in accordance with the real character of the excellent Mr. Butler, even if the question was propounded in a manner not exactly agreeable to his feelings, to have replied, "I will gladly do as you desire, and if I prove to have been in the wrong, no man living shall be more prompt to make the necessary atonement?"

Suppose he did see a little irritation in the manner of Mr. Ward, and suppose the method of propounding the question was not exactly compatible with his taste and feelings, as a good man, as a just man, as a prudent man, ought he not to have said, "I see you are irritated, I know your feelings are

aroused, but let us fairly examine the case, and then, if we find I have been in error, I shall be proud to repair the wrong I have done"? Would that have misbecome Prof. Butler? Would it have impaired in any degree the proper and healthful discipline of the school? Not according to my conception of the matter.

But, unfortunately, he did not take this course. When his attention is first called to the matter, he buttons up his coat and replies, "I am not to be interrogated, sir." Ward insists upon it: "Mr. Butler, I ask a civil question, and I expect a civil answer. Which is the worse, the contemptible little puppy who begs chestnuts and then lies about it, or my brother William who gives them to him?" There may be some objection, perhaps, to the language used here; the phraseology of the first question was better, but an answer was refused to it, and repeating it in a stronger form does not increase the criminality of Mr. Ward. He is assured that no such boy is there. "Then that matter is settled; but why did you call my brother a liar? For that I must have an apology." As if to say, "I have a just right to an apology; under the circumstances it is my due." "I have no apology to make." "Is your mind made up on that point?" "It is,—I have no apology whatever to make." "Then you must hear my opinion of you,—you are a scoundrel and a coward."

And here let us pause for a moment to examine the relative position of the parties at this point. The accused had gone to the school-house, for an explanation which was his due; it was utterly refused him, and thus that question was closed. He had then sought an apology; but that was denied him in terms equally emphatic, and that matter also was settled by the reiterated assurance that no apology whatever would be made. Then he used the language he did; and there, as I apprehend, the demonstration closed on the part of Ward; that was all he intended. He felt that his brother had been abused, insulted, and outraged, and when all other redress was superciliously denied, he took the only satisfaction that was left him, by applying these terms to Butler. Do the circumstances indicate that he intended to follow it up further? I think not, in the natural course of events. He had retaliated; and there the matter must conclude,—there he would have left it to rest forever.

The next step was taken by Butler. They tell you he was an amiable gentleman, and there is no doubt of the fact; but they tell you also that he was a man of spirit. The facts show that he commenced the combat. Ward had reached a point where there was nothing more for him to do. But he was seized by Butler, whose hand grasped his collar or cravat—

crushed back against the wall—bent down towards the earth—struck twice in the face to the certain knowledge of the only witness who saw the whole transaction; and then, but not till then, he fired the pistol to free himself from his assailant. This account of the transaction is perfectly corroborated by Quigley as well as related by Robert Ward. Do you not believe it? Do you not see how it would occur in the reasonable and natural order of things? Even their own witnesses tell you that they *know* Butler would not take such language,—that when they heard it applied to him they expected a difficulty.

This is the case proved by a portion of the testimony, and I think fully established by the better portion of it. I believe, then, we have clearly settled it, that the first assault was made by Butler,—that he promptly and fiercely pursued it until he had placed this defendant in a position where he had good reason to apprehend the most serious bodily harm,—in a position of extreme suffering and extreme danger.

Again: does any one doubt that this was a sudden and casual affray, unexpected by either of the parties five minutes before it occurred? After some conversation, in which, it is true, harsh language was used,—but it is a settled principle that no language whatever can justify an assault,—Ward was suddenly assaulted and attacked; and then, at a time when he was in great peril and suffering, he fired the shot,—fired it, as we contend, in self-defense. The only means of protection he used were the pistol; it is not in proof that he struck a single blow. You see his form,—and you can perceive there the most palpable indications of the truth of what you have been told by so many witnesses,—his extreme weakness and delicacy. Do you think it probable that one with such a form—in so feeble a condition—would engage hand to hand in conflict with a man of ordinary strength? And, according to the testimony of Mr. Joyce, you will remember that Mr. Butler was a man of unusual muscular power in the arms.

The only pretense of a blow from the prisoner is founded on the testimony of one of the boys who saw him bring his left hand down with a gesture, and thought he struck, because he then saw Butler move from him. I do not speak of this to impair the testimony of the boy, but merely to show you another indication of the existence of those circumstances and influences that render it impossible for these school-boys to give a faithful and perfect account of the transaction. Can you believe for a moment that a man in the physical condition of this prisoner, in his sober senses, would attempt to combat with any one? Even with his right hand it would be the most perfect folly for him to attempt to give a blow that would injure a child,—and

do you believe that with his left he could give one that would cause a man in his full strength and vigor to fall back? It is utterly impossible. And with this fanciful exception, not one of those thirteen boys saw a blow given on either side. That there were blows cannot be doubted. Butler himself stated it distinctly to every one with whom he conversed in regard to the affray, before his death. And on such conflicting and uncorroborated testimony as this, you are asked to take the life of a fellow-being.

Gentlemen, I think I have stated the case fairly. I have certainly endeavored to do so. I have spoken of the testimony as it was given, according to the best of my recollection, and I believe it clearly establishes the fact that this prisoner was reduced to a condition where it was right and lawful for him to avail himself of any means of defense and protection that were within his reach.

Now, what is the law that applies to the case? I shall not trouble you with much of it, and I will endeavor only to call your attention to that which is strictly applicable. Many cases have been cited for your consideration, some of them involving nice distinctions and subtle questions of law, in regard to which even lawyers and judges have hardly been able to satisfy themselves. Is it to be expected, then, that, from sources such as these, you must reason and analyze and deduce the law it is your duty to act upon in a case of such magnitude as this? I think not. I think no conscientious man will desire to do it; and I am quite sure that you prefer to know something of the simple principles on which this great crime of murder is founded, and the circumstances and elements that go to make up its different degrees.

I contend that, according to all principles of law, the facts which have been developed in this case prove the act for which the prisoner at the bar is arraigned to be neither murder nor manslaughter, but justifiable homicide. Though the words of the law may not be known to every man, yet the statutes thereof are written in his heart. You know what malicious killing is, what killing in the heat of blood is, and what killing in self-defense is, and your own judgments, as well as your hearts, tell you that there is a wide difference between them. In morals and in law, the criminality of men's conduct depends on the circumstances under which they act, and the motives by which they are actuated.

There is nothing more simple than the principle of Common Law on the crime of murder. Malice is the essential ingredient. It may be caused by some difficulty and grudge, but it must be indicated in that wicked state of mind—that distempered and

depraved condition of heart—which show them to be bent on mischief. When a man kills another under such circumstances and from such instigation, that is murder. But had this accused any such grudge or malice towards Prof. Butler? None. If he had ill feeling towards any one, it was towards Sturgus, his enemy; for Butler he had no sentiments but those of friendship and respect. In his own language, he had always found him “a gentleman and a just man.” The act cannot be murder.

But manslaughter—this is another gradation of the crime. When in an unpremeditated difficulty, without malice aforethought, in the heat of passion, one man kills another it is called manslaughter. The crime is not so aggravated as that of murder, as the malice does not exist; yet it is not excusable, for the heat of passion is no justification for trifling with human life. But the law, making allowance for the weakness and infirmities of our nature, considers this an extenuation, and reduces the offense to manslaughter. Where parties are engaged in combat on equal terms, and there being no occasion to resort to such means for self-defense and protection, one kills the other, he is guilty of this crime.

But where a man in sudden affray is beaten or assaulted in such a manner as to peril his life, or place him in danger of great bodily harm, when there is no other way of escape, he has a right to kill his adversary, and the law calls it justifiable homicide,—killing in self-defense. The law is very tender of human life, and therefore homicide, even in self-defense, is spoken of by the English authorities as “excusable rather than justifiable.” And thus the definition of it given by Lord Bacon is “a blamable necessity.” Yet though blamable, it is a necessity, and it excuses and acquits the party. It is described as “that whereby in a sudden broil or quarrel a man may protect himself from assaults or the like by killing the one who assaults him.” But it must not be used as a cloak for a revengeful and wicked heart, for we are explicitly told that we may “not exercise it but in cases where sudden and violent suffering would be caused by waiting for the intervention of the law.”

Language cannot be plainer than that of this distinguished author, Judge Blackstone. “And this,” he says, “is the doctrine of universal justice as well as municipal law.” It is another principle equally well established, that except in cases of extraordinary violence, where it cannot be done without subjecting him to enormous peril, a man must “retreat to the wall,” or to some other impediment which he cannot pass, before he may take the life of his adversary.

Gentlemen, I shall trouble you with but few more extracts

from this or any other author. You see in what justifiable homicide consists—you see that you have a right to kill when you cannot otherwise escape death, or severe bodily harm; but that you must exercise ~~the~~ right only in a case of extremity—only in sudden affray—~~when~~ when subjected to a condition where you can no longer defend yourself but by killing. It is not every blow that necessarily gives the right to take life; if the person be not injured, the blows not severe, and the parties not unequal in physical strength, or the one who is assaulted may retreat without further harm, the homicide is not justifiable.

Cases have been read to you that if a man provoke a contest himself, for the sake of obtaining a pretext to carry out the malignant and wicked purpose of his heart, and, during it, kill his opponent, it is not excusable, but is murder. I think you readily perceive, however, that this principle is totally inapplicable here. If A pursue B with malice, seeking an opportunity to kill, and, provoking a quarrel that he may do so, carries out his purpose, the act is murder. Mr. Gibson read to you yesterday a case of this kind; but here the defendant sought no quarrel—no combat—no difficulty; he sought a reconciliation. With what propriety, then, do the gentlemen attempt to confound in your minds cases where men are seeking to exercise the malice of a wicked and revengeful heart, with such a one as this? They have no connection whatever.

It is a well-established principle (Wharton's American Criminal Law, p. 311), that "no words will amount to an assault;" and (do. 313), that "no words will justify an assault." Mr. Ward had made no assault; it is true he applied opprobrious words, but they neither constituted nor justified one. The gentlemen have told you here, and their own witnesses have testified to it, that Mr. Butler was a man of courage, who would not receive such language without giving a blow in return. I do not complain of them for showing that he was a man of spirit; but I do contend that they had no reason to look to the law for any justification of his conduct. He had no right under the circumstances to take redress into his own hands—the principle is laid down in so many words. He was first in fault—he made the first assault—Ward was forced back until he could retreat no further—in the literal language of the law he had "been driven to the wall;" and there, pressed back, and bent down and beaten in the face by his adversary, he shot him.

Now, gentlemen, have I not brought this case, not only within the principles, but within the exact words of the law relating to justifiable homicide? And I have not done it by relying on subtleties and technicalities, but I have proved it on the natural and eternal principles of Self-Defense.

We are told that where there is any other probable mode of escape, without losing life or receiving serious injury, a man is not justifiable in killing. True; but I am not aware that any such possibility existed here. The prisoner was confined, and beaten, as you have heard,—Campbell was just taking the tongs, to give his assistance if necessary, and Sturgus also was in motion. I will say no more about the extreme debility and feebleness of the accused, for you know it, and can perceive it. You also know—notwithstanding the assumption of the prosecution—that Butler was a man of more than ordinary muscular power; that he had been for years in the habit of practicing, both in the gymnasium and out of it, those exercises that tend as directly to develop and strengthen the muscles of the arm as the habitual wielding of the blacksmith's hammer.

The many excellent qualities of the deceased, and his virtuous character, I freely admit,—I deplore his death. The ill-fated circumstances that led to it are all before you. That death has been the effect of circumstances,—unfortunate circumstances,—but without any premeditation or malice on the part of the accused. The same circumstances which show that his hand inflicted the fatal blow, show, from the nature and suddenness of the occasion, that there was none of that malice or wickedness which alone could make it a crime. His character, too, pleads like an angel's voice against such an imputation upon him.

In his state of feebleness or irritation, he may have naturally overrated the violence and injury with which he was threatened, and the necessity of protecting and defending himself by shooting the deceased. But surely a man, in such a condition, is not to be sacrificed for a misjudgment of the exact degree of the necessity which warrants him in such a defense.

You will make all just and humane allowances on this subject. You, sitting here in quiet, solemn consideration, must yourselves feel some difficulty in deciding the exact degree of violence with which he was threatened, and the lawful extent of the defense which it justified. How, then, are you to expect him to decide those questions in the strife and passion of the moment?

The decision in Tennessee, to which your attention has been called, establishes the principle that if a man, from good reasons, *believes* his life or his person to be in danger, he has the right to kill. He must act upon the instant, or not at all,—in the heat of passion and conflict, and when his means for observation are limited. The real question here is, Whether Matt. Ward, in his feeble and reduced condition, did not apprehend, and that from good reasons, that he was in danger? If he did, there was no guilt, no criminality, and he deserves an acquittal.

The gentlemen for the prosecution have spoken of the declarations of Mr. Butler on his dying-bed. Now the inquiries of Dr. Thomson were made for the purpose of ascertaining a medical fact. He desired to learn what was the position of Butler when he received the shot; and Butler replied to him that they were clinched. The arm of Prof. Butler was raised, and it was then found that the probe followed the wound, at least for a short distance, when before it did not penetrate at all. This demonstrates anatomically, naturally, necessarily, that Butler and Ward must have been engaged in combat when the fatal event occurred. Why was the hand of Butler raised if he was not engaged in a struggle? This is the legitimate inference from the testimony given by Dr. Thomson.

But Barlow was present at the same time, and while Dr. Thomson was engaged in taking out his instruments and preparing to attend to his professional duties, he, with a curiosity perfectly natural, inquired how this had happened. A man had been shot down under peculiar circumstances, and it was not strange that Barlow should follow him to Colonel Harney's residence and ask how it had been brought about. Butler replied: "He gave me the lie and I struck him for it; then he shot me." According to this, Butler admitted that he struck the first blow. It is true he was provoked by the language used; but you have been reminded that neither those nor any other words justify a blow.

But the counsel for the Commonwealth contended that Butler could never have made those statements, simply because Dr. Thomson did not hear them. The doctor himself, however, has told you that there were five or six persons in the room; and you can judge for yourselves whether a physician under such circumstances, when his mind was engaged with his professional duties, would be likely to recollect very accurately. Barlow states that he was there; and he *was* there. He has minutely described the position and clothing of Butler, spoken of the brandy sent for by the physician; and by relating many other facts trivial in themselves, has demonstrated, beyond a doubt, that he was present. The conversation Butler held with him was in answer to a direct question to ascertain the history of the occurrence; his reply to Dr. Thomson was to state the scientific fact of the position of his hand.

Well, Barlow has been spoken of in strong terms here; he has been terribly denounced; and if any words could justify an assault, the language that has been applied to him would certainly do so. But it cannot; lawyers, as well as other men, have their own peculiar privileges, and I am sure I have no desire to see them diminished. Of the course of the counsel-

for the prosecution, I admire the most that of Mr. Gibson. Mr. Carpenter's abuse of this witness seemed to be spontaneous. He rejoiced at an opportunity to exercise the peculiar talent he possesses for that style of argument. But Mr. Gibson tells you that he considers it out of place; that he will not indulge in it; and maintaining that the witness is perfectly annihilated, magnanimously informs us that he will not trample on the dead!

I never saw this Barlow before; but how does he appear to you? What impression has this man left whom the lawyers,—not the law,—not the court,—but a few lawyers, have so earnestly attempted to degrade in your estimation; have cast a ban upon, and excommunicated so peremptorily from the society of all good men? I care very little for his testimony; we had other evidence sufficient to establish the facts he has proved; but I believe all these attacks to be gratuitous and unjust. He may, in some respects, have acted foolishly; he may have been imprudent, but we have every reason to believe that he is not dishonest. Within half an hour after it occurred, he told Mays and Sullivan of his visit to Col. Harney's, and the conversation with Butler; and soon after this he related the same fact to Mr. and Mrs. Crenshaw. Yet Mr. Carpenter tells you that he fabricated the story because he was fascinated with the idea of associating in a wealthy and aristocratic family; because he sought to obtain a view of the interior of the house of Mr. Robert J. Ward. How do they reconcile this with the fact that he then made the same statements which he has made here to three witnesses of the highest intelligence and respectability? He stands confirmed, as far as a witness can be confirmed; and if any stain has been cast upon him here, it has only been done by the lawyers who have made him the subject of their abuse. He has proved the most unexceptionable character by the Mayor of Louisville and other gentlemen, who are above imputation; in the eye of the law and of his fellow-citizens he is perfectly credible, and so far as any testimony he has given in this case is concerned, he may be relied on by you as safely as any other witness who has testified in it.

These statements of Butler to which Barlow has deposed, accord perfectly with the testimony of Robert Ward. You could expect no details from a man under such circumstances and in such a situation as Butler,—he only gave a general description of the occurrence; but Robert has given you the details. And Prof. Yandell, who was present at the same time, does not tell you, like Dr. Thomson, that Ward came to the school-house, cursed him, struck him, and shot him; but gives quite another account of his statements. He speaks of him raising his hand, as he thought, to indicate that the accused had

elevated *his* in a threatening manner; but you all know how common the habit of raising the hand in conversation is with some men. Dr. Thomson, it seems, heard no word of those statements which were made to Prof. Yandell; and the discrepancy between them is not surprising, for, as they were engaged at that moment, the cause of the occurrence was a matter of secondary importance,—not one of peculiar interest to them.

Here, gentlemen, I beg leave to recur for a moment to a circumstance which, I must confess, has surprised me. It was the general evidence of the school-boys that Ward entered the house with his right hand in his pocket, and gesticulated with the fingers of his left. Is it not wonderful that a fact so immaterial, so little likely to attract attention, as the circumstance that a gentleman had his hand in his pocket, and which of the hands he had there, should be remembered with so much accuracy by so many of these witnesses, so long after its occurrence? But you perceive that it has been made a matter of considerable magnitude here. No doubt Sturgus thought it was important to show that the right hand was on the pistol all the time, as if in a sort of conspiracy with it, to act jointly at precisely the proper moment; and rather than destroy this hypothesis they would have you believe that if the accused struck a blow, it was with his left hand. Now, you can readily perceive why they would like to keep the right hand of Matt. Ward on that pistol during the whole time; and I have no doubt that these boys have ever and anon heard the statement made in so many conversations, held for the purpose of assisting their memories, that they are now convinced the hand really was in that position, and that they saw it there.

Again, they contend that Butler struck, if he struck at all, with the left hand, and therefore that the blows could have inflicted no injury. Now, if his right hand had been so long and so utterly crippled, as they have attempted to show, it must certainly have been a non-combatant, and the left hand must have learned, years before, to perform all the offices of the right. Thus their presumption is effectually destroyed.

You have been sitting here, gentlemen, for eight days. Can you tell whether your hands were in your pocket when you came in this morning, or on any other morning? Can you tell the position of the hands of any of the counsel, as they rose up to address you, face to face? As you have been seated at home, in your own house, and visitors have entered, can you recollect the position of their hands? Yet a fact so trivial and unimportant at the time—one which could then be of no possible interest—for no difficulty was apprehended until Butler had collared Ward—is related with this minuteness! I would sup-

pose that not another human being in the form of a man ever entered that school-room, in regard to whom so many boys can recollect distinctly the position of his hands. Whether the hand was in his breeches or his coat pocket is not a matter of so much importance, and therefore not remembered so well! Gentlemen, you must be convinced that the recollection of such a fact, under such circumstances, is utterly impossible.

And he gesticulated, they say, with his left. Why should he not let the right hand do the right hand's work?—why should it be kept on that pistol? The idea is absurd. All the circumstances show that he at first expected no difficulty. Who believes this? Who does not know that, however unconscious of it the boys may be, this is the work of a strained imagination, supplying the place of a strained memory?

Sturgus, as you have heard, had administered a whipping to the boy on a former occasion, the facts of which we desired to introduce here, but we were not allowed to do so. Is it not probable that, instigated by his enmity towards the Wards, when he heard of this punishment, he advised Butler to refuse all explanation and investigation? The circumstances of the case—the position of Butler and Ward—their friendly relations—the just and reasonable demand that was made—all show the refusal to have been inconsistent with his character and his heart. Is it not a rational inference, then, that he may have been prompted by the sinister, subterranean motives of another man, who desired to minister to his own anger and ill feeling? I think it was not like Butler, when he was asked such a question, by a man he knew so well, and esteemed so highly, to button up his coat and answer, haughtily, “I am not to be interrogated, sir.” But it *was* like Sturgus.

Gentlemen, I am consuming much of your time, but I believe the case is clearly comprehended by you. I think I have made up the facts and made out the law. I think you are satisfied that the pistol was not fired, so far as we can judge, until there was no other way of rescue for the prisoner from the peril of his life or of great bodily harm. I think you understand the principle that the law holds all such bloodshed justifiable,—though blamable, yet excusable. This, then, is the condition in which the prisoner stands; and upon these plain facts and these great principles I think I may base my argument.

But there are other points in this case to which I feel it my duty to refer. Notwithstanding the circumstances we have made out, this young man has been persecuted and denounced from the first as one of the vilest of men, and of murderers. He has been held up to the world as the perpetrator of a deliberate and diabolical outrage,—an act of fiendish malignity,

for which there was no particle of mitigation. For months and months he has been thus pursued with misrepresentations and revilings. This version of his case has been spread upon the wings of the wind through the columns of the press. Now, it matters not in effect whether these publications were made from the basest of motives, or in all sincerity and truth, by those who were deceived by his persecutors—they *were* made. These rumors have gone abroad, anticipating the result of this trial; but you see how little his real case is like the one that has been represented to the world.

His only refuge is in your verdict. Through all this persecution and these revilings he has passed; now, thank God, he waits the decision of your calm judgment. I said his persecution was over; but through those associated in the prosecution of this case with my friend Mr. Allen, it all seems to have been concentrated here. The first of them, Mr. Carpenter, was eloquent in denunciation of the prisoner. What necessity was there for this? It is his duty to convict, upon the law and the testimony; but what right has he to turn from you to the accused and assure him, if you do not feel warranted by the facts of the case in finding him guilty, he will be pursued, through all time, by some horrible monster the speaker's own imagination has conjured up? What unsolicited and perfect insolence to prosecute a man, and in case the prosecution cannot be sustained, to threaten him with a fate as cruel as any verdict you can bring! Is this practicing law according to its spirit? Is it necessary, when a prisoner is in the custody of the law, his hands and his tongue tied, for a prosecutor to feed his little vengeance in such a manner as this? Sir, it is intolerable,—it was never equaled!

Let us come to a later instance, from our brother and our friend, Mr. Gibson. Was such language ever heard before? Should a man, when on trial for his life, be denounced as a damned villain, and his act as a damnable crime? Is not this a singular, an improper course to pursue towards an unfortunate prisoner? Is it not alike cruel to him and disrespectful to the jury? Your duty, gentlemen, is too responsible to suffer you to think of the subject in such terms. There is no congruity between your solemn thoughts and such language as this; and I have no fears that you will allow it to influence them.

My friend Mr. Gibson is a man of great impulses, and when not excited, of generous impulses. In an early stage of his argument he tells you, more in accordance with the facts, more in accordance with the love of justice existing in his own manly heart, that he believes the accused sought the school-house of Prof. Butler without an intention to do violence. But after-

wards, when his feelings are more excited, when his impulses are brought up to the prosecuting point, he declared, in tones that vibrated through this court-room, his belief that he went there to play the part of an Italian assassin. Is not this a little inconsistent? At one time he tells you he shall be glad to see it done, if you can find any satisfactory grounds for his acquittal; and again, that if you do acquit him, he shall believe all the tales he has ever heard, that justice has fled from the borders of old Kentucky. Furthermore, he would have the bereaved mother train the child of the deceased to follow the track of this prisoner, like a bloodhound, and never rest until his hands were red with his blood!

What! would he have that mother, with her heart softened by premature sorrows, instill into the tender mind of the child such horrible instincts as these? Did he really mean this? I am sure he did not; and I only allude to the fact to show with what fierceness and ardor this prosecution has been pursued. It has been carried on with a precipitancy and passion that would not even allow its conductors to keep within the bounds of propriety or consistency.

I now remember another of those flights of Mr. Carpenter, to which, as it involves something more than mere words, I would call your attention. Not satisfied with urging you to do it, in pursuance of what he deems your duty to yourselves and to society, the gentleman asks you to convict this man that it may be an event of joyful remembrance to you when you appear before your Maker. He assures you it will be a great solace and consolation to recollect that, when a fellow-man was brought before you and his fate consigned to your hands, you convicted him.

He would have you tell the Judge of quick and dead, when you stand at his tribunal, how manfully you performed your duty, by sending your fellow-man to the gallows! He apprehends that it will go a great way to insure your acquittal there and your entrance to the regions of eternal bliss, if you are able to state that you regarded no extenuating plea,—took no cognizance of the passions and infirmities of our common nature,—showed no mercy, but sternly pronounced his irrevocable doom. I understand that it would be more likely to send you in a contrary direction. I understand that a lack of all compassion during life will hardly be a recommendation there. I understand that your own plea will then be for mercy; none, we are taught, can find salvation without it,—none can be saved on their merits. But according to Mr. Carpenter's idea, you are to rely there—not upon that mercy for which we all hope, but on your own merits in convicting Matt. Ward! Don't you think

the gentleman rather failed in the argumentative portion of his point? It seems to me he would have done better to take you somewhere else for trial.

I have somewhere heard or read a story from one of those transcendental German writers, which tells us that when the Almighty designed to create man, the various angels of his attributes came in their order before Him and spoke of his purpose. Truth said, "Create him not, Father. He will deny the right, deny his obligations to Thee, and deny the sacred and inviolate truth; therefore create him not." Justice said, "Create him not, Father. He will fill the world with injustice and wrong, he will desecrate thy holy temple, do deeds of violence and of blood, and in the very first generation he will wantonly slay his brother; therefore create him not." But gentle Mercy knelt by the throne and whispered, "Create him, Father. I will be with him in all his wanderings, I will follow his wayward steps, and by the lessons he shall learn from the experience of his own errors, I will bring him back to Thee." "And thus," concludes the writer, "learn, oh, man, mercy to thy fellow-man, if thou wouldest bring him back to thee and to God."

Gentlemen, these lawyers have endeavored to induce you to believe that it is a duty you owe even to Mercy herself to convict this prisoner. That you have nothing to do with mercy,—that there is a governor somewhere, a good, kind-hearted man, who may exercise it if he chooses,—but that you have no right to show mercy. And pray, what are you? Yesterday you were but men,—just men, kind men, and merciful men. Tomorrow, when you have left this jury-box, you will be the same again; but according to the ideas that have been advanced, you must divest yourself of this attribute when you enter here, and become men of stone,—mere mathematical jurors, with no more feelings and sympathies than if you were marble statues. Is this the right of trial by jury? Is this the principle our fathers contended for, fought for, died for? If it be, I can only say, it is not worth the struggles that have been made for it.

It is a merciful law, gentlemen, you are called upon to administer. I desire to see you do your duty; I desire that the law should be obeyed and enforced; but in the matter of the facts you have the exclusive right to judge. I agree with the gentlemen that you have no right to show mercy where the facts will not warrant it; but it is your duty alone to consider these facts, put them together, and upon them found your verdict. In examining these facts, may not one judge of them more kindly, and hence ascribe better motives than another? The consideration of the facts and the causes that produced them is the proper place for mercy to be applied. The law

says the murderer shall be punished; but it is your province to ascertain what constitutes the murderer.

You have a solemn duty to perform, and I want you to perform it. I want you to perform it like men—like honest men. I ask your sober judgment on the case, but it is right for that judgment to be tempered with mercy. It is according to the principles of law, one of whose maxims tells you it were better for one hundred guilty men to escape than for an innocent one to be punished. Is not here your commission for mercy? It is alike your honest minds and your warm hearts that constitute you the glorious tribunals you are,—that make this jury of peers one of the noblest institutions of our country and our age. But the gentlemen would make you a set of legal logicians—calculators, who are to come to your conclusion by the same steps a shopkeeper takes to ascertain the quantity of coffee he has sold by the pound. That may be a jury in name, but it is in nothing else.

But I wish to call your attention to another fact that figures in this case. Mr. Carpenter, with more adroitness than Mr. Gibson, but with less scrupulousness, has attempted to create a prejudice against this prisoner by speaking of his family as aristocratic,—as believing themselves better than ordinary mortals. I suppose I feel no personal offense at this, for I have always belonged to that class usually called poor men. But in this country no man can be above a freeman, and we are truthfully told that “poor and content is rich enough.”

Do you not see the object of all this when the gentleman speaks in his peculiar tone of “Ward House,” and tells you that “a Ward had been insulted—a Ward had been whipped—and therefore the stain must be wiped out with blood”? Do you not detect the low, unjust, unrepUBLICAN attempt to create a prejudice against this prisoner? What right have they to do this? The charge is personally an outrage upon him—the assumption is false. And we all know that before our laws every man, whether he come from the cabin or parlor,—whether he be rich or poor,—holds the same position, has the same rights and the same liabilities with all other men. Why, then, attempt to excite this low, vulgar feeling towards Mr. Ward? Why seek thus to prejudice your minds against him and his? I am sure that if the gentleman expected any response to such low, envious sentiments in your hearts, he made a grave mistake. There may be those who hate all men they are unable to imitate; but you, I presume, are willing to see all your countrymen enjoy any position they have honorably obtained in whatever manner they please.

In conclusion, gentlemen, I beg leave to call your attention

to an important consideration bearing on the whole case, and affording a key, I think, to the heart of this young man. I allude to his general character and disposition through life. I need not recall your attention to what we have shown it; it is all perfect in your recollection. I have no occasion to exaggerate; he has shown, in the clearest and most conclusive manner, a character of which you or I, or any man living, might be proud. As in boyhood, so in manhood. His riper years only exhibited to the world the amiable and lovely and genial traits of the boy, more illustriously developed in the man.

I am one of those who believe in blood and in consistency of character. Show me a man that for twenty or thirty years has been kind and honest and faithful in all the relations of life, and it will require a great deal of evidence to induce me to believe him guilty in any instance of a gross and outrageous wrong. You have seen the character of this man from his earliest boyhood—so kind, so gentle, so amiable—ever the same, at school and at college, in the city or in the country, among friends or strangers, at home or in foreign lands. There was no affected superiority. You see how many mechanics and artisans have been his constant associates and friends. With health impaired and with literary habits—never seen in drinking-saloons or gaming-houses—his associations with men of all classes—he has ever been the same mild, frank, and unoffending gentleman, respecting the rights of others and only maintaining his own. This is the man you are called upon to convict. His act was an unfortunate one, but it was one he was compelled to do. And though he has been misrepresented and reviled and wronged, I trust it will be your happy privilege by a verdict of acquittal to vindicate his character in the eyes of all good men, and restore him to that family whose peace, happiness, and honor are at stake on your verdict. Your decision must cover them with sorrow and shame or restore them to happiness that shall send up to Heaven, on your behalf, the warmest gratitude of full and overflowing hearts.

Gentlemen, my task is done; the decision of this case—the fate of this prisoner—is in your hands. Guilty or innocent—life or death—whether the captive shall joyfully go free, or be consigned to a disgraceful and ignominious death—all depend on a few words from you. Is there anything in this world more like Omnipotence, more like the power of the Eternal, than that you now possess?

Yes, you are to decide; and, as I leave the case with you, I implore you to consider it well and mercifully before you pronounce a verdict of guilty,—a verdict which is to cut asunder all the tender cords that bind heart to heart, and to consign

this young man, in the flower of his days and in the midst of his hopes, to shame and to death. Such a verdict must often come up in your recollections — must live forever in your minds.

And in after-days, when the wild voice of clamor that now fills the air is hushed—when memory shall review this busy scene, should her accusing voice tell you you have dealt hardly with a brother's life,—that you have sent him to death, when you have a doubt whether it is not your duty to restore him to life,—oh, what a moment that must be—how like a cancer will that remembrance prey upon your hearts!

But if, on the other hand, having rendered a contrary verdict, you feel that there should have been a conviction,—*that* sentiment will be easily satisfied; you will say, "If I erred, it was on the side of mercy; thank God, I incurred no hazard by condemning a man I thought innocent." How different the memory from that which may come in any calm moment, by day or by night, knocking at the door of your hearts, and reminding you that in a case where you were doubtful, by your verdict you sent an innocent man to disgrace and to death!

Oh, gentlemen, pronounce no such, I beseech you, but on the most certain, clear, and solid grounds! If you err, for your own sake, as well as his, keep on the side of humanity, and save him from so dishonorable a fate—preserve yourselves from so bitter a memory. It will not do then to plead to your consciences any subtle technicalities and nice logic,—such cunning of the mind will never satisfy the heart of an honest man. The case must be one that speaks for itself—that requires no reasoning—that without argument appeals to the understanding and strikes conviction into the very heart. Unless it does this, you abuse yourselves—abuse your own consciences, and irrevocably wrong your fellow-man by pronouncing him guilty. It is life—it is blood with which you are to deal; and beware that you peril not your own peace.

I am no advocate, gentlemen, of any criminal licentiousness,—I desire that society may be protected, that the laws of my country may be obeyed and enforced. Any other state of things I should deplore; but I have examined this case, I think, carefully and calmly; I see much to regret—much that I wish had never happened; but I see no evil intentions and motives—no wicked malignity, and, therefore, no murder—no felony.

There is another consideration of which we should not be unmindful. We are all conscious of the infirmities of our nature—we are all subject to them. The law makes an allowance for such infirmities. The Author of our being has been pleased to fashion us out of great and mighty elements, which

make us but a little lower than the angels; but He has mingled in our composition weakness and passions. Will He punish us for frailties which nature has stamped upon us, or for their necessary results? The distinction between these and acts that proceed from a wicked and malignant heart is founded on eternal justice; and in the words of the Psalmist, "He knoweth our frame—He remembereth that we are dust." Shall not the rule He has established be good enough for us to judge by?

Gentlemen, the case is closed. Again I ask you to consider it well, before you pronounce a verdict which shall consign this prisoner to a grave of ignominy and dishonor. These are no idle words you have heard so often. This is your fellow-citizen—a youth of promise—the rose of his family—the possessor of all kind, and virtuous, and manly qualities. It is the blood of a Kentuckian you are called upon to shed. The blood that flows in his veins has come down from those noble pioneers who laid the foundations for the greatness and glory of our State; it is the blood of a race who have never spared it when demanded by their country's cause. It is his fate you are to decide. I excite no poor, unmanly sympathy—I appeal to no low, groveling spirit. He is a man—you are men—and I only want that sympathy which man can give to man.

I will not detain you longer. But you know, and it is right you should, the terrible suspense in which some of these hearts must beat during your absence. It is proper for you to consider this, for, in such a case, all the feelings of the mind and heart should sit in council together. Your duty is yet to be done; perform it as you are ready to answer for it, here and hereafter. Perform it calmly and dispassionately, remembering that vengeance can give no satisfaction to any human being. But if you exercise it in this case, it will spread black midnight and despair over many aching hearts. May the God of all mercy be with you in your deliberations, assist you in the performance of your duty, and teach you to judge your fellow-being as you hope to be judged hereafter!

Another word, gentlemen, and I have done. My services in this case were volunteered. I had hardly expected that so unimportant a fact could excite attention or subject me to reproach. What! shall all the friends of this young man be driven from him at such an hour? I had known him from his boyhood—I had known his family from mine. And if, in the recollections of the past—in the memory of our early intercourse—in the ties that bound us together, I thought there was sufficient cause to render it proper, whose business is it? Whom does it concern but my client and myself? *I am a volunteer*

—I offered my services—they were accepted, and I have given them in this feeble way.

I thank you kindly for your attention during my long and uninteresting discourse. I only ask that you will examine this case carefully and impartially, for in your justice and your understanding I have deep and abiding confidence.

The conclusion of Mr. Crittenden's argument elicited lively applause from the listeners with which the room was crowded. It was promptly checked, however, by the court, with the request that no such demonstrations should be repeated.

There was no act of Mr. Crittenden's life which brought upon him so much bitter censure and actual abuse as his volunteering as counsel in the case of the trial for murder of Matt. Ward. The following letter was addressed to him by the members of the bar practicing before the Court of Appeals of Kentucky:

FRANKFORT, September 12, 1854.

To Hon. J. J. CRITTENDEN.

DEAR SIR,—The undersigned, members of the bar, practicing before the Court of Appeals of Kentucky, have witnessed with regret and mortification the newspaper attacks upon you for appearing as counsel on the trial of Matt. F. Ward, and feeling that it is not less an act of justice to the profession to which they belong than to yourself, one of its most distinguished ornaments, beg leave, without entering into details, to express to you their conviction that there has been nothing, either in the manner of your appearing or in the conduct of the case on your part, inconsistent with the highest *professional* propriety, and that your entire conduct has met their full and cordial approbation.

We have the honor to be, very respectfully,

Your obedient servants,

GARRETT DAVIS,  
THOMAS P. PORTER,  
W. K. SMITH,  
J. C. HERNDON,  
W. L. CALLENDER,  
THOMAS TURNER,  
JAMES HARLAN,  
D. BRECK,  
J. B. HUSBANDS,  
W. B. KINKEAD,  
J. M. STEVENSON,

MASON BROWN,  
B. MONROE,  
JOHN RODMAN,  
C. S. MOREHEAD,  
D. HOWARD SMITH,  
M. C. JOHNSON,  
THOS. N. LINDSAY,  
S. FLOOD,  
W. L. HARLAN,  
J. E. SPELLMAN,  
P. S. CABEL,

J. M. HEWIT,  
GEO. W. CRADDOCK,  
P. P. ATTICUS BIBB,  
S. S. NICHOLAS,  
H. T. ALLISON,  
JOHN M. HARLAN,  
F. K. HUNT,  
RICH'D A. BUCKNER,  
J. C. BRECKINRIDGE,  
G. W. DUNLAP,  
JAMES MONROE.

The following reply of Mr. Crittenden to the members of the

bar will fully explain the feelings and principles upon which he acted in the Ward trial:\*

FRANKFORT, Ky., December 30, 1854.

GENTLEMEN,—Your letter of September 12th, owing to accidental causes, did not reach me until a few days ago. I thank you for it with my whole heart. I have read it with proud satisfaction. It conveys to me the voluntary expression of your full approbation of my conduct in appearing as counsel for Matt. F. Ward, and defending him upon his recent trial. It is a tribute honorable to yourselves, honorable to me. Do not think me less grateful, however, when I say that I feel myself entitled to it, as one who has been aspersed, and rudely called in question, for exercising the common right of our noble profession,—the right to appear for and defend the accused in trouble and peril,—and, *even* if they be guilty, to say for them all that law or humanity will allow in extenuation or excuse of their offenses. This can be no offense against God or man. Our profession affords us the opportunity of performing it, and the lawyer who refuses to perform that duty, upon proper occasions, neglects his professional obligations; and he who shrinks from it from any fear or favor, or having undertaken it, shall, from any fear or favor, diminish the force of the defense, by any softening or omission, is unworthy of his profession.

It has so happened that, in the course of a long professional life, I have never appeared as counsel against any man upon his trial for any criminal offense. Others, better than me, have done it; but I never did. I have feared to do it, lest in the spirit of controversy, and pride for professional victory, I might be instrumental in bringing down unjust judgment on the head of some unfortunate fellow-creature. The accused, whether guilty or innocent, are always wretched, and my sympathies incline me to their side; not because I favor or approve the guilty, but because I hope they may be innocent, or not so guilty as charged to be. The law, in its justice and humanity, presumes every man to be innocent until pronounced to be guilty by the verdict of a jury, or by the judge, upon his own open confession in court. I have acted upon this humane presumption of the law; and I do not recollect that, in any instance, I ever refused to appear for any accused person, whoever sought my assistance, if consistently with my convenience or other engagements I could do so. I have defended many such, without distinction of rich or poor. Whether I should do so, with or without a fee, was a question which I have supposed concerned nobody but myself and my client. I have often appeared for the humble and

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\* This reply to the bar was never published.

poor, particularly if they were my acquaintances and friends, without fee or the hope of any other reward than that which follows the recollection of duty performed. In the retrospect of these things I find satisfaction and pleasure: nor is that satisfaction disturbed by the probability that some of those clients who, perhaps, were not innocent, may have escaped the rigors of the law. After all, it is only one more poor, offending child of humanity who, escaping the punishment and vengeance of man, is left to the mercy and justice of his God.

The excitement which existed against Mr. Ward was turned blindly and fiercely against his counsel, whose only offense was that they had defended him on his trial. For this I, especially, have been made the subject of exasperated abuse and aspersion; but these attacks have not shaken my inward confidence in the rectitude of my conduct. I know that I have done right; that I have done but that which was due to my own self-respect and to the honor of my profession. That consciousness of duty performed, you would not, I am sure, if my case was yours, exchange for all the applause that could be bestowed upon you by deluded men for any act of conscious dishonor. It has enabled me to bear, with some equanimity, the unmerited reproaches that have been uttered against me. To those I have made no response. It did not become me to rail with those who chose to rail at me, and I had no excuses or apologies to make. I am too old for that, and the people of Kentucky have more solid grounds upon which to judge me than wanton denunciations on the one side, or apologies or excuses on the other. I was willing in silence to abide their judgment, trusting in their justice and their knowledge of me, and leaving my character alone to speak for me against all accusers.

But, whatever may have been the most proper course in the past, you, gentlemen (thanks to you for it), have relieved me, by your letter, from all necessity for any self-vindication. You, able, experienced, and distinguished members of the profession, and not less eminent as citizens than as jurists, have put the seal of your approbation to my whole conduct in appearing for and defending Mr. Ward, and I want no better shield than that.

Although it may seem to be unnecessary and superfluous, I desire to avail myself of this occasion to state in substance my whole connection with the case and the trial of Mr. Ward.

Some days after the tragical event which led to that trial, I was in Louisville, and happened to meet with Mr. Robert J. Ward on the street. We were old acquaintances, and for thirty years there had been a constant social and friendly intercourse between us. He seemed to be full of grief at our meeting, and spoke to me at once, in tones of the deepest distress, about the

case of his sons, then in prison, charged with the murder of Mr. Butler, and scarcely protected by that prison from the violent popular excitement that existed against them. He deplored the death of Butler, but did not believe that his sons were guilty of murder, and represented to me, in effect, that if they could have a fair trial, and the whole truth developed, it would afford a good ground of defense. He proceeded to say, that immediately on the occurrence of the case he wrote to me to engage my services as counsel for his sons; but that after consulting with the elder of them (Matt. F. Ward), the letter was suppressed, from their apprehension that it might involve me in all the prejudice and burning excitement that existed against them. He went on to say much more that manifested his own anxious desire, and that of his sons, to have my professional services in their defense. He made then no formal or direct application to employ me as their counsel. I appreciated the delicacy and magnanimity of his course towards me, and felt more strongly the touching appeal that was made to me. I at once replied that I would appear as counsel for his sons if nothing occurred in the mean time to prevent it,—that no prejudice ought to attach to me from that cause, and that I feared none in the performance of my duty.

I do not pretend to give the particulars or language of our conversation, but the above is its substance, and here the matter rested. Mr. Robert J. Ward, the father, went to New Orleans, where he was engaged in business as a merchant. He being absent, and the court for the trial of his sons having approached so nearly that it was time to make final preparation, I wrote to the eldest of them, Mr. Matt. F. Ward, offering gratuitously my professional services, if he thought they could be useful, but requesting him to feel no diffidence in declining them if their acceptance would at all disturb the arrangements made with the other counsel already engaged for him, and adding the expression of my confidence that they were, at least, as capable as I was of defending him. This, as well as I can recollect, was about the substance of my letter. I wrote it for no other purpose, from no other motive, but to fulfill and redeem the promise I had made to the father.

In the conversation, above stated, with Mr. Robert J. Ward, there was not one word said about a fee. That was, in comparison, a trifling matter. There were other considerations in the case much more interesting to us both. I believe that if the subject of my fee had been mentioned then, or afterwards, Mr. Ward's generosity and his anxiety would have at once submitted the amount entirely to my own discretion. In the elations which I bore to him, I felt some recoiling from the

idea of bargaining with him about the money I was to receive for my services. I regarded him rather as a friend than as an ordinary client, and was unwilling to, or appear to, be a speculator on his distresses. I resolved, therefore, to take no fee, and to put an end to all question about it by writing, as I did, to Mr. Matt. F. Ward, and tendering my services *gratuitously*. This was the first communication, written or verbal, that I had with him in relation to his case. He immediately replied to it from his prison in Hardin County, to which county his case had been removed for trial, accepting my offer, and thanking me for it in the warmest and most grateful manner. Not long after that, I received another letter from him, asking, as well as I recollect, not now having that letter, if I had any objection to his making known, or perhaps publishing, that I was to appear for him on his trial. Supposing that he was fully warranted by my first to make known, as he pleased, the fact of my engagement to appear for him, I felt some little surprise that he should think it necessary to ask if I had any objection. It occurred to me, however, that he might think I wished it concealed as long as possible. I did not fear the responsibility of appearing for him, and I desired no concealment. I wrote to him, therefore, that I had no objection to his making it known as he pleased, but advised him to be prudent in all he said on the subject.

Soon after the probable receipt of this letter, there appeared in a newspaper, published in Elizabethtown, where Ward was confined, an announcement of the fact of my engagement to appear as counsel for him, accompanied with some remarks more laudatory of me, no doubt, than I deserved. I regretted the publication of these remarks, and thought it injudicious under the circumstances of the case, but not thinking it a matter of sufficient importance, I forbore to take any notice of the editorial article. I may also mention that shortly after my correspondence, or the commencement of it, with his son, Mr. Robert J. Ward returned from New Orleans, and addressed me a letter, thanking me for what I had previously written to his son, and stating but for that he had intended, immediately on his arrival, to have applied for my professional services in behalf of his sons. I will further add, that from about the commencement of this prosecution I was frequently addressed on the subject by one or more of the common friends of Mr. Robert J. Ward and myself,—was told of his anxiety that I should appear as counsel for his sons, and was urged to do so.

I have now, I believe, stated all the facts and circumstances that led to my employment in the Ward case. The statement may well appear to you to be as superfluous as tedious, but I have made it because the subject has been so much misunder-

stood and misrepresented, and because my desire is that all may be truly known.

Was it not, under these circumstances, my clear right and duty as a lawyer and as a *man* to appear as counsel in this case? You have answered by approving of my conduct. If I had shrunk from the performance of that duty from any fear of the great and widespread excitement that prevailed against the accused, or from any merely selfish calculations, I should then, indeed, have felt myself degraded, unworthy the name of FRIEND—unworthy of my profession—unworthy of the respect of honorable men—unworthy of *old Kentucky*. I could have no motive to appear in the case of Ward but a sense of duty. It was not avarice that tempted me, for I declined to take a fee; it was not party or political interest, for the prisoners, their father, and a numerous connection of influential men were opposed to me in politics. I certainly could not have indulged the expectation of acquiring popularity by it, as all know that the accused were objects of the most violent and angry excitement, exasperated and spread far and wide by newspaper denunciation. No improper motive sullied my determination; nor has any such been imputed to me so far as I know.

I have stated my relations with the father and family of the accused, and the peculiar circumstances of the case that seemed to impose on me a personal obligation to appear in it as counsel. I have stated them because they are part of the history of the transaction, and because they had in fact an influence upon me. I hope that my heart will never fail to feel such influences or be slow in recognizing the duties they impose. If to stick to one's friends be a frailty, may that frailty be mine. But I do not mean out of these peculiar circumstances and relations to frame for myself any excuse or special plea. I throw myself on the great principle of *criminal justice*, that every man, no matter with what crimes he is charged, has the right to appear and defend himself by counsel, and to select whatever counsel he may choose and be able to employ. This is a right secured to every man by the Constitution, and is one of the great securities for life and liberty. I stand on this great principle, and the vindication of it is my vindication. This principle no one would venture to dispute, and with as little reason could the consequence be disputed that the counsel selected and employed by the accused had the *right*, if it was his *duty* to appear, to appear as his defender. As exceedingly appropriate to this subject, I cannot forbear to quote at some length a passage full of beauty and instruction from a sermon delivered in England by the celebrated and Rev. Sydney Smith before some of the judges and lawyers of that country. It is thus expressed:

"Upon those who are engaged in studying the laws of their country devolves the honorable and Christian task of defending the accused,—a sacred duty never to be yielded up, never to be influenced by any vehemence nor intensity of public opinion. In these times of profound peace and unexampled prosperity, there is little danger in executing this duty, and little temptation to violate it; but human affairs change like the clouds of heaven; another year may find us or may leave us in all the perils and bitterness of internal dissension, and upon one of you may devolve the defense of some accused person, the object of men's hopes and fears, the single point on which the eyes of a whole people are bent. These are the occasions which try a man's inward heart, and separate the dross of human nature from the gold of human nature. On these occasions never mind being mixed up for a moment with the criminal and the crime; fling yourself back upon great principles; fling yourself back upon God; yield not one atom to violence; suffer not the slightest encroachments of injustice; retire not one step before the frowns of power; tremble not, for a single instant, at the dread of misrepresentation. The great interests of mankind are placed in your hands. It is not so much the individual you are defending; it is not so much a matter of consequence whether this or that is proved to be a crime; but, on such occasions, you are often called upon to defend the occupation of a defender,—to take care that the sacred rights belonging to that character are not destroyed; that that best privilege of your profession, which so much secures our regard, and so much redounds to your credit, is never soothed by flattery, never corrupted by favor, never chilled by fear. You may practice this wickedness secretly, as you may any other wickedness; you may suppress a topic of defense or soften an attack upon opponents, or weaken your own argument and sacrifice the man who has put his trust in you, rather than provoke the powerful by the triumphant establishment of unwelcomed innocence; but if you do this, you are a guilty man before God."

Let any sensible or Christian man read that, and then say if I have not performed a duty—a praiseworthy duty—in defending Matt. F. Ward, as his counsel.

But it has been said that his guilt was so enormous and well known that I was blamable for appearing in his behalf. This is an absurdity. The law considers him innocent till legally convicted; but guilty or innocent, he is legally entitled to counsel, and it is the duty of that counsel to see that he is regularly and legally tried, and that he be not condemned without due proof his guilt. It is not upon what is heard out-of-doors, or upon mere hearsay. The judge and jury can know nothing of

the case but what appears from the sworn evidence in court; so it is with the lawyer; and he has no right to presume him to be, and treat him as, a guilty man merely because he is charged and rumored to be so. But suppose it would be improper and immoral in a lawyer to appear as counsel for one known to be guilty. I did not know that Matt. F. Ward was guilty of murder in killing Mr. Butler; I knew that rumor proclaimed him to be so; but rumor is not a very reliable or accurate witness. Whether killing was a murder depended on circumstances that might mitigate, or even excuse, the offense; and before any engagement was made by me in his case I was assured, in his behalf, that such circumstances did exist. When I met and communicated with him, just before his trial, he himself stated to me facts and circumstances that amounted to the same assurance; and all this was so far proved upon the trial that the jury, upon that ground, I presume, acquitted him.

I had, therefore, before the trial, and before any engagement in the case, cause to hope and believe that he was not guilty. In that hope and belief I appeared as his counsel. This much I can say, without undertaking to define the limits of professional proprieties and obligations, that I would not appear as counsel for any man known to me to be guilty of murder by his own confession or ~~or~~ by my own personal knowledge.

In the clamor raised against Ward's counsel, it was considered as quite a reproach to me that I had appeared for him *without* a fee. If I had chosen, then, to exact a fee, all would have been right. The demerit of my conduct, according to this exception, was owing to my not having pocketed a fee; and this, at first, and for a long time, was vociferated and published as the chief, and I believe only, complaint made against me. What folly!

It has also been quite seriously urged, that it was improper for me to throw "my name" and my official "dignity" (that is, my "dignity" as senator elect to a seat about two years after) in the scales of justice in favor of Ward. I did not throw my "name" or "dignity" (whether they be much or little) into the scales of justice in his favor any otherwise than by simply appearing as his counsel in the ordinary mode of practice. I could not be so arrogant as to suppose that my "name" or "official dignity" would control the proceedings of a court of justice, or have any undue influence there. Would it not have been quite preposterous and ridiculous for me to have urged my "name" and "dignity" as an excuse for not appearing? I would have been ashamed to do it.

In the passage above quoted from the sermon of the Rev. Sydney Smith, he says that it is an "honorable and Christian

task" to defend the accused. I have done so, and I am not so vainglorious as to imagine that my poor "name" and "dignity" have raised me above, or can excuse me for, the performance of any "honorable" and "Christian" duties. Such a pretension would justly have subjected me to reproach. But when these and other like senseless topics of abuse, as various as passion and folly could make them, were exhausted, my speech in defense of Ward, and the evidence in the case, were published from the report of a stenographer, who attended the trial for the purpose,—this published report furnished occasion for a new series of criticisms and animadversions. In these I am charged with various offenses in the management and argument of the case. I cannot go through all these articles of impeachment. These are some of them:

1st. That the counsel for Ward offered a witness on his part who was indicted as an accomplice, and argued in favor of his competency, when it was plain and must have been known to them that the witness was not competent, although the judge thought differently and admitted the witness to testify.

The author of this censure may know more law than we or our judges do; but it would have seemed more decent and professional to have expressed himself a little less dictatorially on the subject. The legal question as to the competency of such witnesses, I believe, is quite a vexed question, and has been variously decided in different States and by different judges. By the same judge who presided on the trial of Ward, and by his predecessor, it had been judicially settled that they were competent. Therefore, I say, that whatever Ward's counsel may have *known*, or rather thought, they would have been treacherous to their duty and to their client, who had trusted his life to them, if, believing the witness to be important to him, they had refused or neglected to introduce him. Of what consequence was the thinkings or the opinions of his lawyers? It was on the opinions and decisions of the judge that the life of the accused depended. The lawyer who should undertake to decide points of law against his client, without submitting them to the judgment of the court, would so far make himself the judge instead of the advocate. His duty as advocate is to present them to the court, and perhaps the judge might differ with the lawyer and decide in favor of the prisoner; and not only is it his duty to present them to the court, but to say whatever can be said in their support. It results, therefore, as I think, that the censure passed on the counsel of Ward for introducing the witness who has been alluded to, is unjust and illiberal.

But, secondly, it is further, in substance, charged against me

that, in my address to the jury, I assumed facts of which there was *no proof*,—used arguments, drew inferences, and presented views that were not fairly warranted by the evidence. These allegations have not been made so much as criticisms upon the speech as criminal charges against me. These charges are founded, as I understand, upon the report of the speeches of counsel and of the evidence in the Ward case, made by a stenographer, since published. Such reports are proverbial for defectiveness and inaccuracy. I have never read the report of the evidence; but I have hastily glanced over the report of my address to the jury. I must say that it is a meagre report, and has many inaccuracies. I do not mean to complain of the stenographer, for defects, omissions, and errors were unavoidable and excusable in this instance, where he, for eight days or more, in a crowded court-house, was constantly confined to his seat and his task.

Upon such authority alone are these last-mentioned charges made. The accuser finds in my speech, as reported, some statement of facts, and then turning to the same stenographer's report of the evidence, he, as he says, can find there no evidence in support of my statement, and his conclusion is that I have been guilty of misstatement, and guilty *intentionally*, as otherwise he would hardly have thought it so grave an offense, or deserving such severe animadversion as he has bestowed upon it. But his view of the subject is totally unjust and incorrect; for if there really be any difference or discrepancy between the reporter's notes of the evidence and my statements of it in argument, the latter, without involving any question of veracity, ought to be regarded as more reliable than the notes of the stenographer. My statements or assumptions of facts, or of the evidence upon which they rested, were made in open court, and ought to be, and would have been, corrected at the moment, if erroneous, by the judge, the jury, or the opposing counsel. The failure of all these to attempt any such correction is such a sanction as ought to place my statement beyond question, or, at least, to give it higher credit than can be given to the notes of any stenographer. I have only to add here that I am entirely unconscious of having made any misstatement of evidence or of facts, as proved, when there was no such proof.

As to the other charges, that the views and inferences that I presented to the jury were stronger and more favorable than the evidence warranted, I have but little to say. These objections, at most, only imply a difference of opinion between the counsel for Ward and the critic who wanted him hung. All such would very naturally think every argument unsound which tended to his acquittal. I am not conscious of having made

myself at all liable to such imputations. I argued the case with all the ability I could, and endeavored to present to the court and jury all the views I could (both as to the law and the evidence) most favorable to my client. In all these views and arguments I, perhaps, had not equal confidence; nor were all of them, perhaps, equally sustained by law or evidence. But, as counsel, I ought not to have withheld any views or arguments that might help my client from any want of my confidence in them; although unsatisfactory to my mind, they might have been quite satisfactory to the judge and jury; and those in which I had confidence might have proved unsatisfactory to the court and jury. It was the plain course of my duty to present all the views favorable to my client that by any influences or presumptions, weak or strong, might apply to the case. The prosecuting attorneys did the like on the other side,—presented all the arguments and views that could be presented against the accused. It was all before the court and jury, and they were to judge the case after hearing all that could be said on either side.

The duties of a prisoner's counsel in such cases do not seem to me to be rightly understood by those who have undertaken to animadvert upon the counsel of Ward. I do not intend to discuss the subject here, but I hope I may be excused for making a further reference to what the learned and Rev. Sydney Smith thought and wrote about it. In an article written by him and published in the *Edinburgh Review* in 1826, in favor of the allowance of "Counsel for Prisoners" (the law of England not then allowing it in all cases), says, "The counsel has (after all the evidence has been given) a bad opinion of his client's case; but he suppresses that opinion, and it is his duty to do so. He is not to decide; that is the province of the jury; and, in spite of his own opinion, his client may be innocent. He is brought there (or would be brought there, if the privilege of speech were allowed) for the express purpose of *saying all that could be said on one side* of the question. He is a weight in one scale, and some one else holds the balance."

In conclusion, I will declare that in the trial of the Ward case I neither said nor did anything that was not, according to my judgment, within the strictest and most honorable limits of professional duty. I argued the case with all the ability I could; but no artifice or trick was used. I intended to argue the case *fairly*, and I did so, whatever may be said to the contrary.

I have been reviled for performing an act of duty,—a duty devolved on me by circumstances and by my profession. These attacks upon me have been the result of a great public excitement,—such an excitement as blinds and misleads, for the

time, even good and wise men. But this excitement, and with it its delusions, have passed, or are passing, away. In silence I have borne and forborne, in the confidence that when time and reflection had dispelled their passion, even those men who have most misjudged and wronged me would feel a deep regret for their course of injustice towards me.

I am not indifferent to public opinion. I could wish to make my conduct agreeable to all. It would grieve me to lose the good opinion of any good man. I have done nothing to forfeit the regard of any such man; and such, I trust, will be the judgment of all the dispassionate and candid when my conduct shall be fairly and justly considered. For myself, I am satisfied that what I have done is right, and I can make no apologies for it. I should be insincere and dishonest if I did.

Begging you, gentlemen, to excuse me for having availed myself of the occasion which your letter afforded me, and this tedious communication,

I remain, respectfully and gratefully yours,

J. J. CRITTENDEN.

## CHAPTER V.

1854-1855.

Letters—Moses Grinnell—Archibald Dixon—Reply of Mr. Crittenden—Crittenden to Presley Ewing—Tom Corwin—R. J. Ward—General Scott—Crittenden to his Wife—Crittenden to L. Hunton—R. C. Winthrop to J. J. Crittenden—J. J. Crittenden to R. J. Ward.

(Moses Grinnell to J. J. Crittenden.)

NEW YORK, February 22, 1854.

MY DEAR SIR,—I was delighted this morning on taking up the *Enquirer* to see that you have taken a bold stand on the right side in reference to the Nebraska bill. You know that I am no abolitionist; but I do think this scheme of Douglas the most *villainous one* ever presented to Congress. In my opinion any man who votes for the bill will be politically used up at the North. I rejoice (and I have heard the same sentiment from many others to-day) that you adhere to the same principles so long sustained by Clay and Webster. The great American public will sustain you in the support of principles so sound and just. Excuse the liberty I have taken in saying this. It is just what I feel, and I am like ninety in a hundred on this subject in this community.

Yours truly,

Hon. J. J. CRITTENDEN.

M. H. GRINNELL.

(Hon. Archibald Dixon to J. J. Crittenden.)

WASHINGTON, February 7, 1854.

DEAR SIR,—The bill to organize the Territories of Nebraska and Kansas, with a provision to repeal the Missouri Compromise act, will pass the Senate by a very large majority. Every Whig senator, I believe, from the slaveholding States will vote for it, and from all I can learn it will receive the unanimous vote of all the Whigs from the slave States in the other branch of Congress, and will doubtless become a law. There is a feeling here among the Whigs to run you for the Presidency. In this desire I fully participate, and write this to beg you, in the speech you make on the 16th, not to commit yourself particularly on this question. I do not wish you to embarrass yourself either North or South.

Believe me your friend,

ARCHIBALD DIXON.

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(J. J. Crittenden to Archibald Dixon.)

FRANKFORT, March 7, 1854.

MY DEAR SIR,—I am much obliged by your letter of 7th of February, and thank you for the information and kind suggestions it contains. I fully appreciate the frank and friendly spirit in which it was written.

You tell me there is a feeling among the Whigs at Washington "to run me for the Presidency, and that you fully participate in that feeling." I am grateful and proud to be held in such estimation by my friends; but I beg you to be assured that I entertain no expectation and no aspiration to become a candidate for the Presidency. No ambition for that high office troubles me. In the speech which I made on the 16th of last month I did not allude to the Nebraska bill. The festive occasion—a public dinner—on which it was made did not require me to speak on that subject. Besides, I had no inclination to make any public parade of my opinions, as though they were of consequence. On the other hand, I had no motive or wish to conceal them. I have not, therefore, hesitated here, in private circles, when it happened to become the subject of conversation, to express my views without reserve. I stated these views to the Hon. Presley Ewing, now at Washington, in a telegraphic reply to an inquiry which he had addressed to me from that place a few days ago. I will now, with the same readiness and frankness, state them briefly to you, without prolonging this letter by explanations and arguments.

Considering the question as an open one, it seems to me clear that Congress ought to leave it to the people of the Territories, preparing to enter the Union as States, to form their constitutions in respect to slavery as they may please, and ought to admit them into the Union whether they have admitted or excluded slavery; but that question, it seems to me, can scarcely be considered as an open one.

The country has long rested in the belief that it is settled by the Missouri Compromise, so far as it respects all the territory embraced by it, and of which Nebraska and Kansas are parts. I hope, however, that the North may consent to yield that compromise, and concur in substituting the principle of the Nebraska bill for the rule fixed by the Missouri Compromise. But without such a concurrence of Northern representatives as would fairly manifest the assent of the North to such substitution, I do not think the South ought to disregard or urge the repeal of that compromise to which she was a party.

The Missouri Compromise has long been considered as a sort of landmark in our political progress. It does not appear to me that it has ever been superseded or abrogated; and I think

it is to be apprehended that its repeal, without sincere concurrence of the North, will be productive of serious agitations and disturbances.

That concurrence will relieve the subject from difficulty, as the parties to compromise have an undoubted right to set it aside at their pleasure. By such a course it seems to me the North would lose nothing, and would but afford another evidence of her wisdom and her patriotism. This, however, is a subject for her own consideration.

The great interest of the country requires that we should avoid, as far as possible, all agitation of the slavery question.

To use the language of Mr. Jefferson, "it sounds like a fire-bell at midnight." I am now, as I always have been, disposed to abide and stand by any past or future compromise or settlement of that question, provided it be only tolerably just and equal, not dishonorable, rather than to hazard the mischiefs of continued and corroding agitation. For these reasons I was content with the present compromises and regretted their disturbance. For the same reason I would maintain, for the sake of quiet, any different compromise or settlement that may be now or hereafter made, if not dishonorable or grossly unfair. This course, it seems to me, is demanded no less by the interest of the slaveholding States than for the tranquillity of the Union and its safety.

I have thus, sir, endeavored to give you an imperfect sketch of my views on the subject of the Nebraska bill. It will enable you to discover by comparison how far I differ in opinion with you and our other friends in Washington. Whatever these differences may be, they shall on my part be only differences of opinion. They will never disturb my general relations, personal or political, to you or to them. I will only add, sir, that if the Nebraska bill, with its repeal of the "Missouri Compromise," shall pass, my hope and wish is that it may prove by its consequences the correctness of your views, and its results may be as beneficial to the country as your purposes and intentions, I am sure, have been upright and patriotic.

I am your friend,

Hon. ARCHIBALD DIXON.

J. J. CRITTENDEN.

(J. J. Crittenden to Presley Ewing.)

FRANKFORT, March 6, 1854.

In reply to telegraph, I am clear that Congress ought to leave it to the States preparing for admission into the Union to form their constitutions in respect to slavery *as they please*.

Hope the North may concur in substituting this principle for the rule *fixed* by the *Missouri Compromise*. But without such

numerical concurrence of Northern representatives as would fairly indicate the assent of the North to such substitution, *I* don't think the South ought to disregard that compromise, to which it was a party.

J. J. CRITTENDEN.

Hon. PRESLEY EWING, Washington City.

(Hon. Tom Corwin to J. J. Crittenden.)

LEBANON, March 10, 1854.

DEAR SIR,—I received a letter a few days since from Mr. Hodge, of Washington City, in which he requested me to address you on the subject of politics. I thought this *absurd*, but nevertheless I am about to comply. I know nothing about politics as they now exist. I do not even understand the present position of those with whom I had for twenty years been intimately associated in public life. Do you? Do you really know your own *status* in regard to some *dogmas* recently put forward as *tests* of political orthodoxy? Indeed, *this last* is all I am requested by Mr. Hodge to ascertain. *He, Hodge*, insists (and says that he has so written to you) that the next *President* must of necessity be some *Southern man* who opposes the expressed or implied repeal of the Missouri Compromise. *You* have been gazetted as opposed to Douglas's Nebraska bill. I have no right to suppose this to be upon your authority, *but* had rather inferred from my knowledge of your general opinions on such subjects that you would choose to consider the compromise of 1850 as *final* and as not having affected in any way the act admitting Missouri into the Union. *I* have not examined the subject, and therefore do not pretend to any opinion which ought to regulate my own judgment, and I do not intend to examine it or think *ten* minutes about it. I only wish to say that I should think, if the people of the North do really care about this matter, that any man in your position who might agree with them would be very likely to be their choice for the office of President. You will not infer, my dear sir, from what I have here written that I intend to insult your judgment or sensibilities by the supposition that *you desire* to be a *candidate* for that once dignified and really important station. I could not advise any friend whom I love and respect to take such a position, even if he were certain he would succeed without the usual struggle, committals, etc. But other and *better* men differ with me on this subject, and you know that *many*—*very many*—desire you to allow yourself to be made *President* of this *model republic*. *I* should rejoice to see it. For this reason alone I have complied with the request of Hodge to

question you on this most vexatious subject. I do not wish your opinion on the Nebraska business to be made known to me; but I suppose Hodge wants you, *in some way*, to proclaim your opposition to it, with a view to make it subserve the purpose of your election in '56. I cannot advise you on this point, for I have no well-considered opinions concerning it myself. Of one thing only I am certain,—*that is*, whether you are *pro* or *con*, candidate or *not*, I shall always *honor myself* by claiming to be one among those who are your sincere friends.

TOM CORWIN.

Hon. J. J. CRITTENDEN.

(R. J. Ward to J. J. Crittenden.)

LOUISVILLE, March 18, 1854.

MY DEAR SIR,—I write to thank you most gratefully for your kind letter to Matt. It had been sent to him at Elizabethtown before I reached home, but I learn its contents from Mrs. Ward, and she begs me to say that no words can express the feeling with which she read it. In behalf of my son I accept your generous offer, and I shall expect you to be in Hardin on the third Monday in April, the 16th day of the month. In the mean time my son will send you an *abstract* of the testimony, that you may be prepared for one of your greatest efforts. You were the first person I thought of to defend my son. For reasons perhaps already explained to you, I postponed the application till my return from New Orleans. *I am glad I did so*, because it has given another proof of that noble, warm, and abiding friendship which has distinguished you through life.

I can never forget your kindness, nor will any member of my family.

Faithfully yours,

Hon. J. J. CRITTENDEN.

R. J. WARD.

(General Scott to J. J. Crittenden.)

NEW YORK, March 21, 1854.

DEAR CRITTENDEN,—In a long life, not without some pleasing incidents, I have very rarely been so much gratified as at the receipt of your letter, inclosing the resolution of the Kentucky legislature (adopted unanimously) recommending the passage by Congress of the pending bill for giving me the rank of *lieutenant-general*. The source of this compliment, and the channel of communication under it, render it very dear to me. Indeed, it is probable that the resolution may, as was intended, prove to be more than an empty compliment, by stimulating the branch of Congress that has yet to act, before I can receive

the additional rank, pay, and emoluments. Not a Kentuckian (and not a Whig) in the present Congress has voted against me; but, *on the test-question to lay the bill on the table*, Gray, Boyd, Chrisman, and Elliot were silent or absent. Dining with a large party the day that I received your letter, I chanced to mention to a leading Whig the Kentucky compliment, when it instantly occurred to him that the legislature of New York might follow that noble lead. He asked me for the resolution, and some notes, and I have no doubt that my friend (your political friend), Benjamin D. Silliman, followed up his good intentions. The legislature of New York has bestowed upon me two signal compliments, with exactly an interval of a third of a century between them. My *bill* is held back, that it may not be swamped in the whirlpool of passion created by the Nebraska question. God grant that the revival of the slavery question may not dissolve the Union. The excitement caused by the *compromise measures* had nearly died out, and I was in favor of *letting well enough alone*. When you return to the Senate I shall begin to regret having left Washington. Oh, for the old times of Letcher, Crittenden, Preston, Barrow, etc.! I saw Preston in October; he talked much about you. Kind regards to friends. Wishing you all happiness,

Your friend,

WINFIELD SCOTT.

(General Scott to J. J. Crittenden.)

NEW YORK, April 3, 1854.

DEAR CRITTENDEN,—Herewith I inclose you a copy of General Smith's letter that you supposed would soon reach me. I have sent the original to Washington, with my indorsement, notwithstanding the refusal of the Secretary of War in the case of Major Crittenden, which came to hand since I last wrote to you. Whether the secretary will yield to the second application I think very doubtful. Lieutenant Bonaparte now applies for the first time, and as the French minister will privately support his request, it may give success to both applications. The Nebraska bill stops all business in the House, and the Maine liquor law (with the governor's veto) operates the same way at Albany upon the Kentucky resolutions introduced there. *All signs fail in a drought*, and I am in a perpetual drought, by being thrown (to borrow a metaphor from Bunyan) into that "slough of despond," *the committee of the whole House* on the state of the Union. With Mrs. Crittenden within-doors, and Letcher next-door neighbor, I suppose you to be beyond the reach of cares and vexations. Happy man! and may you long continue so. Just received a letter from Coombs, spoiling to

get his money, and disgusted with Washington. Your immediate representative (Breckinridge) and mine (Cutting) have agreed to let each other die in the regular course of nature. I heartily rejoice. B. always votes for my bill, and Cutting will, at the next trial, change to the same side. I am called to dinner; never have a good one without thinking of you.

Always, as heretofore, yours,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

(J. J. Crittenden to his wife Elizabeth.)

ELIZABETHTOWN, April 17, 1854.

MY DEAR WIFE,—I have been separated from you for four days, and have not written till now. I have been constantly engaged about my case,\* in intercourse with my clients, in consultations with lawyers, examinations of books, etc. To-morrow morning the trial begins; it will be tedious. I care nothing about the labor and fatigue, but much about being kept *away from you*. The prosecution is carried on with the greatest activity, and, as I am told, *bitterness*. It is said that there is much excitement and prejudice in the country against Ward. He has, however, many warm friends here. I have several times visited the jail, and it is, indeed, a moving sight to see the interesting and mourning group assembled there of father, mother, wife; and they all seemed ready to embrace me on my arrival, and grew cheerful, as though my presence were an assurance of security and relief to them. They rely on me much more than I could *wish* or than *they ought*. I can scarcely hope to be able to fulfill their expectations; *but I will try*. All my friends here seem to be highly gratified at meeting me; indeed, I could not have asked a more agreeable or flattering reception. I will write to you daily hereafter. I am at my friend Thomas's, with Carneal and Mr. Thomas Marshall. Mr. Burnley is expected here with Thomas. We are delightfully situated. Give my love to all, to Mary, and her children, and tell Anna she must not forget me. Though we are separated, you are ever present in my thoughts. Take care of yourself; be cheerful and happy, and be assured of the constant love and affection of

Your husband,

Mrs. E. CRITTENDEN.

J. J. CRITTENDEN.

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\* Trial of Matt. Ward.

(J. J. Crittenden to his wife Elizabeth.)

ELIZABETHTOWN, April 19, 1854.

MY DEAREST WIFE,—My time is constantly occupied. We go to court at eight o'clock in the morning and adjourn at night. Then comes company and consultation. I am now stealing a moment from the court. This labor seems to agree with me. I was never better in health or spirits.

Burnley and Thomas have not yet reached here.

I have received your two letters. They were delightful little visitants, and I cherish them as fresh from your *hand* and *heart*. My love to all. I have not another moment.

Farewell, my dear, dear wife.

Mrs. E. CRITTENDEN.

J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

ELIZABETHTOWN, April 26, 1854.

MY DEAR WIFE,—I received your letter of the 23d inst. to-day. Thronged as my heart was with other matters, it drove them all away for the moment, and took supreme and sole command there, as it had a right to do.

I am to speak to-morrow, and to-morrow the case will go to the jury. I feel quite certain the verdict cannot be against Mr. Ward, and I believe it will be in his favor. As soon as it is rendered I will start home. I think it best to go there before we leave for St. Louis; but if you prefer to accompany Mary to Louisville, do so, and we can then determine what further to do.

My dearest wife, I have not another moment to write. Farewell.

Your husband,

Mrs. ELIZABETH CRITTENDEN.

J. J. CRITTENDEN.

(J. J. Crittenden to Mr. Hunton.)

ST. LOUIS, May 14, 1854.

DEAR HUNTON,—Your letter of the 2d inst. was received a few days since, and you may be assured that the motives which dictated it are properly understood and appreciated. You desire information in relation to my appearance as counsel in the late trial of young Ward, in order that you may be better able to vindicate my conduct from the unjust censure which, without reflection, has been cast upon it. I have had nothing to do with that case except professionally as counsel for the accused. My connection with it may be stated in a few words,—details are unnecessary and immaterial. Relations of private friendship had, from my earliest manhood, existed between me and many of the members of the family to which Robert J. Ward, the

father of the accused, belonged. Ward and myself had long been personal friends, and he was a friend to be loved and cherished. When he was in the deepest distress and agony it was made known to me that he desired I should appear as counsel for his sons, then imprisoned and awaiting their trial under a heavy load of prejudice and excitement. Could I, as a professional man, could I, as a friend, *have* refused to do this? No, I would not refuse! The very responsibility of appearing in the case, under the existing excitement, made it necessary for me to volunteer, or appear a timid lawyer and worthless friend. After considering the matter and the repeated solicitations of mutual friends, I determined not to reject the appeals made to me, but to appear in the case, and render the accused such professional services as were in my power. I resolved, also, to receive no fee for my services. I believed that I might exact almost any amount of compensation,—this was felt by me to be a reason for accepting none. I shrank from the idea or appearance of bargaining with a distressed friend or speculating upon his misfortunes or his generosity. Having come to these conclusions, I informed Mr. Matt. F. Ward of them by a note addressed to him some few weeks before his trial, and received from him a letter of grateful acknowledgments. His father was then, I supposed, absent in New Orleans. I did appear for Matt. Ward, and defended him with what ability I could, but I neither did nor said anything which was not within the strictest limits of an honest and honorable discharge of professional duty. The trial took place at Elizabethtown, the seat of justice of Hardin County, about eighty or a hundred miles from my residence in Frankfort. I had nothing to do with the preparation of the case, or the selection of the jury. These professional duties were performed by other counsel, better acquainted with the facts of the case and the persons presented as jurors. I have no reason to doubt but that these duties were performed in a manner becoming the profession and the honorable character of the counsel on whom they devolved. I may say that I had nothing to do with the case but to argue it before the court and jury. The trial, so far as I know or could observe, was in all respects fairly conducted. As to the accusations or denunciations that have since been made against the jury, I know nothing of their truth or justice. At the time I engaged to appear in the case, I knew nothing of it but what might have been gathered from common rumor. To give you a full view of all the circumstances in the case, I must add that I had previously, and from his boyhood, had some acquaintance with the accused, Matt. Ward. That acquaintance, limited as it was, had made a most favorable impression

on me, and prepared me to sympathize with him, and to believe that there were circumstances of more mitigation and excuse in his case than rumor seemed to allow. I have prolonged this letter more than I intended. My object was simply to state facts. I have done nothing in this case but what my judgment and my feelings approve. I have in the exercise of my profession appeared as counsel for a friend,—*the son of a friend*; *for this* I have no *defense* to make. I did not intrude myself into the case; I appeared in it because they wished it. I do not *desire* this letter to be published; it is too crudely and hastily written, and I shall not take the trouble to read it over. I have, besides, other *objections* to its publication.

Judge Walker, of the *Delta*, is now, I suppose, in New Orleans; *he was* present during the trial, and can give full information about it.

I am your friend,

LOGAN HUNTON, Esq.

J. J. CRITTENDEN.

(Robert C. Winthrop to J. J. Crittenden.)

BOSTON, June 25, 1854.

MY DEAR SIR,—Why should the Attorney-General stay at home while all the rest of the cabinet are traveling? I hear confidentially that *old Harvard* is going to make him an *LL.D.* at her approaching commencement. Why can you not come on and *take it in person?* You shall have three days of *most agreeable festival*. On the 15th of July the law-school hold their anniversary celebration, and have an oration from Mr. Choate, followed by a dinner. On the 16th, the commencement exercises take place; and on the 17th, the principal literary society, *Φ B K*, have an oration and poem, followed by a very quiet free-and-easy sort of dinner. I want you especially at this last *frolic*, as I am president of the fraternity. You shall meet *all our cleverest people* and see *old Harvard* with all her bravery on. Such a trip would “*renew your youth like the eagle’s.*” I have written to Sir H. Bulwer to come along, and perhaps you can make a party together. We should be most truly glad to see you, and then you could go off to Newport or where you like.

I am, dear sir, very faithfully yours,

ROBERT C. WINTHROP.

Hon. J. J. CRITTENDEN.

(R. J. Ward to J. J. Crittenden.)

NEW ORLEANS, March 27, 1855.

MY DEAR SIR,—My admiration of your character for forty years past would have made it extremely gratifying to me to

place in your hands some memorial to inform those who come after us that *you* and *I* had been *friends*. Recent events furnish me with an ample apology for doing so, and must remove any feeling of delicacy on your part in accepting it. This letter will reach you with a box containing a few articles made by my order expressly for your use, which I ask the favor of you to accept as a token of my sincere and grateful regard. Were the gift worthy of the feelings which prompt it or the merit of the person for whom it is intended, it would be something to last forever; but this cannot be. I ask as a favor to me that when you cease to use this silver on your table, you will leave it to one of your descendants bearing your family name, with a like request to him. Your late noble conduct, though in strict accordance with every act of your long and useful life, gives you claims on my gratitude never to be forgotten, and which I can never hope to repay. Your reward will surely come, though it will not be here. You have always been the warm friend of all who were unfortunate, and we have the highest authority for saying that those who have been merciful will themselves be judged in mercy.

Renewing my assurances of most affectionate regard, I am faithfully and fully your friend,

R. J. WARD.

Hon. J. J. CRITTENDEN.

(J. J. Crittenden to Robert J. Ward.)

FRANKFORT, May 5, 1855.

MY DEAR SIR,—Your beautiful present of silver has been received, and with it your letter of the 27th of March last, requesting in terms of great delicacy my acceptance of it as a memorial of our friendship. My habits and circumstances of life have not accustomed me to the use of such rich table furniture; but it is not on that account accepted with the less gratification. I receive and welcome it in the same cordial spirit with which it is given, and it shall be preserved and valued as the token of an *ancient friendship* and as a testimony that I did not forsake my friend in the day of his adversity. When I cease to use it, it shall be disposed of as you have requested, and I will make it the duty of that one of my descendants who receives it from me to have your letter engraved upon it for a *lasting remembrance*. For me to have it so inscribed would seem like vanity; for my son, it will be a filial and honorable duty.

I am your friend,

ROBERT J. WARD.

J. J. CRITTENDEN.

## CHAPTER VI.

1856.

Returned to the Senate in 1855—Naval Retiring Board—Clayton-Bulwer Treaty—Letter to his Children—British Enlistments—Notice to Denmark—Letter to Mrs. Coleman—General Scott to Crittenden—Memorial of Kansas Senators—Letter of James M. Truman and Lewellyn Pratt—Veto of the Mississippi River Bill.

M R. CRITTENDEN left the cabinet at the close of Mr. Fillmore's administration, and returned to the Senate in 1855, where he remained till 1861.

On the subject of the Naval Retiring Board Mr. Crittenden took the greatest interest. He thought there was, perhaps, some occasion for reform in the navy. The bill had been designed to accomplish that reform, but it had operated to a greater extent than the country or the Senate had ever anticipated. He thought the senators could not sit still and close their ears to the complaints of two hundred American citizens, officers of the navy, who had been cut down, and who appealed to the Senate against a wrong they declared to have been done them. Mr. Crittenden thought it due to the honor of the country, and to the brave men who had so gloriously maintained our flag, to look into the matter. For himself, he could not consent to confirm all that had been done summarily. He would like to retain all the good that had been done by the Board, but sooner than one honorable and faithful officer should be dishonored and displaced, as far as his vote could go, he would take the responsibility of utterly abrogating all that had been done. There was a constitutional remedy, and the President of the United States was invested with the power to apply it. Mr. Crittenden proposed to make an appeal to the Secretary of the Navy, that he would take the initiative, and send back to the Senate the names of such officers as he might deem worthy of restoration. If the executive was disposed to

co-operate, justice might in this way be done to the country by the exclusion of incompetent persons, and justice to individuals who had been dishonored. In his opinion, no tribunal had any power but that which was delegated to it by law. As to replacing the officers, that would remain a legal question. This would, of course, scatter confusion throughout the whole navy, and the end would be disastrous; and he thought the way he suggested the only way. Mr. Crittenden had seen dismissed officers talking about this question, had seen tears trickle down the cheeks which for forty years had been exposed to storm and battle, but who had no tears for such poor cause as hardship and suffering. To say "that there was no disgrace in this, to mark the efficiency of men by their thews and sinews, was a strange idea. There was one man who had a *leg broken!*—he supposed that was the cause of Maury's inefficiency. He remembered a story which he had read in his boyish days of a lame man who wanted to go to the battle of Thermopylæ, who wished to form one of that great chosen band. They told him *no*. His reply was, Lacedæmon does not want soldiers to *run away*; and he went to Thermopylæ. Is it inefficiency in an officer to be lame? Admiral Nelson *had* lost an arm in the public service of his country,—did it diminish his efficiency? No, it made him a thousand times more efficient. Suppose he had lost both legs and *both arms*, and was set up with his body, and the *face* and the *eye* of the man, in the day of battle, in the centre of his ship,—would he not have been the *image of war*, and the assurance of victory to every man around him? I cannot doubt but, upon a proper appeal to the President, he will perform the gracious office of co-operating with us."

In the Senate, on the 20th of February, 1856, the Clayton-Bulwer Treaty, as it was called, was under discussion. This treaty related to Central America. There was a question raised as to the island of Roatan. By the American interpretation the island was considered a part of Central America, and by the terms of the treaty it was to be abandoned by Great Britain. The latter government contended that she was not to abandon any previous possessions. In the course of the discussion, Mr. Wilson, of Massachusetts, was understood by Mr. Crittenden to cast some imputations upon Mr. Clayton. With his ever

prompt readiness to defend a friend, Mr. Crittenden sprang to his feet, and declared the negotiation of the treaty was a high honor of which any statesman in the land might be proud. He denied that the American Secretary of State ever had any information before the negotiation of the treaty on the subject of this claim of Great Britain to the island of Roatan. Perhaps the honorable gentleman, Mr. Wilson, alluded to something which had reached him in an imperfect and illusory way. He believed Sir Henry Bulwer had written a note to Mr. Clayton, which he had asked to take back, and *had taken back*. There was nothing that could cast the slightest shadow over the perfect integrity and sincerity of the treaty on the American side. "The senator says 'Great Britain still claims a protectorate.' Well, be it so. It is but the shadow of one, sufficient for that effigy of a king, who is set up so much to the discredit of royalty." It was strange to Mr. Crittenden that the statesmen and ministers of her illustrious Majesty could assume to place beside her, in a chair of sovereignty, this *dirty Indian king*; *crowned*, they tell us, at *Jamaica* with all the solemnity of royalty, and called King of Mosquitia. Well, he thought all this was harmless to us.

WASHINGTON, February 22, 1856.

MY DEAR CHILDREN,—We received your invitation of the 24th of January last to visit you at Frankfort, with the promise of a "joyous greeting." We have accepted many that are much less agreeable, but I suppose we must say, in polite and fashionable phrase, we are obliged by previous engagements to decline your invitation. How delightful it would have been to make you a flying visit during the winter! How much more gratifying than all that Washington could afford! I thought of it till it became a fixed idea—almost a reality—with me, and enjoyed it. But the vision is past and gone, and we are here in Washington without the hope of seeing you for months to come. But these months will also pass away, and we will return to you happier in proportion to the greater length of time we have been separated from you. We hope to meet, and that hope must be our compensation and our pleasure.

Take notice that we only consider your invitation as suspended, and we shall expect a great feast on our return,—a great family *carnival*. I want, furthermore, to hear our *old house* resounding with the glad voices of family and friends.

For the present we must say farewell, and health, and joy, and happiness to our children.

Your father and mother,

J. J. CRITTENDEN,

ELIZABETH CRITTENDEN.

To A. M. COLEMAN, E. A. WATSON, C. L. CRITTENDEN, S. L. WATSON, MARY MCKINLEY, H. B. CRITTENDEN, E. WATSON, etc.

There was intense excitement in the country in 1856 on the subject of the British enlistment question within the United States. Mr. Crittenden thought the British government had made full atonement for her error by issuing orders (as soon as she heard of dissatisfaction in the United States) to the authorities in Nova Scotia and other establishments for recruiting, directing them to stop it at once. The senator from Michigan, Mr. Cass, was not satisfied, and insisted upon the recall of Mr. Crampton, the British minister. Mr. Crittenden thought the offense was against the nation, and that it would be a *small vengeance* to fall upon the British minister; he did not wish this great nation to engage in the small pursuit of individuals for national wrongs; he was opposed to this system of gathering up little offenses in our intercourse with nations,—hoarding them up and bringing them to bear when they were most sensitively felt. If we continued this course, the world would consider us quarrelsome—seeking occasion for disturbance—rather than a nation *conscious* of power and knowing how to maintain her dignity calmly.

On the subject of “the notice to Denmark of the termination of the treaty as to the Danish Sound dues,” Mr. Crittenden contended that the President had *no* constitutional power to give the notice, nor could the Senate and the President do it; he affirmed that all political powers delegated to the government of the United States were to be exercised by the *whole* political organization of the government. “The termination of treaties was a political power. The honorable gentleman from Virginia, Mr. Mason, frequently indoctrinates the Senate on the subject of strict construction of the Constitution. Let him point to the treaty. He will find that it gives no power to the President to give the notice. All legislative power belongs to the Congress of the United States, and all powers, great and

small, granted by the Constitution are exercised *by or under* the direction of Congress. *This* was a general principle. Particular powers are given to particular departments of the government; all not so *specifically delegated* are delegated to the whole government—the President, Senate, and House of Representatives.” Mr. Crittenden thought the subject of controversy a very small affair, and wished it had remained in the *dormitories* of the executive department. The whole amount of *Sound dues* we had ever paid was about two thousand dollars per annum; he thought it was not worth while to get up a disturbance throughout the world and make a question about that to which all other nations submitted. “It was no point of honor; it was not wise to make world-wide questions about minute rights, minute quarrels, about which negotiation would cost more than the whole amount of dues. We would not act so, in private life, with a poor neighbor, who almost implores us and pleads poverty. This money is not *exacted as a tribute*. This claim of Denmark is founded on some plausibility,—has, at least, the consideration of the acquiescence of ages. We should not have allowed it to foster up into a question of honor. Denmark is an humble power and a poor power, not claiming the *dues* in a spirit of arrogance; she does *something* in return,—puts lights on her coasts and facilitates commerce; this is the basis of her claim. I am sorry we should have been in such haste to get rid of this payment.”

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

March 7, 1856.

MY DEAR ANN MARY,—I have received your letter relating to your trip to Europe. The idea of your taking your children to a distant foreign country, beyond the protection of your family, must, under any circumstances, be the occasion of much anxiety to me. Apart from this, it must be a source of great concern and importance to you. Its consequences may, and probably will, very materially affect you and your children for *good* or *ill* through life. Your objects, as I understand you, are chiefly *economy* and *education*. I fear you will be disappointed in the first; and as to the second, I think you will find, in the end, that an education in one's own country (in which they are to pass their lives) is the best of educations. I will not deny that there are advantages in visiting foreign countries, and

some advantage from foreign education, especially in the languages; and I think there is not much danger of your acquiring any foreign notions or habits uncongenial to those of your own country. Still, summing up the whole, it seems to me that you would be making an adventurous experiment in removing to a foreign country. I doubt very much if you would not all be homesick, and return from an expensive trip before there was time to realize any real advantage. The article of expense is to be *dreaded*. This can scarcely be calculated with accuracy, because it depends so much upon the peculiar tastes and habits of each individual. It becomes you to be guarded, as it would be altogether disastrous to return disappointed from Europe to an impaired fortune at home. You are quite capable of estimating all this; have *done so*, without doubt, and convinced yourself your plan *is good*. Think over the whole matter again with prudent consideration, and if you are confirmed in your conviction that it is best to take your children to Europe, then follow your inclination. I do not wish you to surrender your judgment to mine. With this I shall be satisfied, however much I may regret to part with you. You must be sure that your means are *adequate*, without making any material encroachment upon your estate. My fear is that you will not realize the pleasure or advantages that you anticipate. I feel bound to say this; *but*, having said so, if you think best to go, I am *not opposed* to it. God bless you all!

Your father,

J. J. CRITTENDEN.

Mrs. A. M. COLEMAN.

(General Winfield Scott to J. J. Crittenden.)

NEW YORK, March 28, 1856.

MY DEAR CRITTENDEN,—More than a month ago I gave Major Crittenden a six months' leave of absence. Observing that he spoke of asking permission to visit Europe, I forwarded the papers, and requested that he might be indulged. Such indulgence, under the army regulations, can only be granted by the President. During the last twelve months but one, in some twenty applications, has been granted.

The day that I received your letter (inclosing the Kentucky resolution) I chanced, at dinner, to mention the compliment, in the fullness of my heart, to another guest, when he instantly suggested that the New York legislature might be induced to follow the lead, and begged me to send the resolution, with a paper of notes. The result is, that Mr. Crosby, in the Senate, yesterday, brought forward the subject, and I have letters this morning saying that the movement will succeed.

God bless *old Kentucky*, and God bless the friend that put her legislature in mind of doing me this great service!

On reflection, I may add that Captain Walker, of the Rifles, is now in Europe, and Colonel Irving's request to be allowed to cross the Atlantic has been refused.

Why don't you and Mrs. Crittenden go abroad this summer? If you do not, you must both come North.

Most truly yours,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

On the 10th of April, 1856, there was a little personal discussion or altercation between Mr. Crittenden and Mr. Seward which is worthy of note. The Kansas bill was before the Senate, and a paper, purporting to be a memorial of Kansas senators, had been presented by Mr. Cass, of Michigan. Mr. Crittenden rose and said he was wholly opposed to the debate, or any debate calculated to disturb the peace of the Union, and if he could prevent it, no gentleman should have the *sinister* advantage of disturbing the country by an affected *patriotic ebullition*. The gentleman from New York, Mr. Seward, was well acquainted with the paper, and called it "the appeal of outraged men—of oppressed men." Mr. C. wished to know why this paper was put upon the honorable senator from Michigan. In order that his great name, his patriotic name, might give force to it. He had known the senator from his boyhood—knew him to be always honest and always patriotic.

Why was this paper given to him, who knew nothing about it, to be presented to the Senate? *Why* did the honorable senator from New York, Mr. Seward, endeavor to make him commit himself before the whole nation and attest by his high authority to the genuineness of the paper? The gentleman from New York had risen on the presentation of the paper, and, with that modesty and forbearance which have ever characterized him on this subject, said, "I will not take from the honorable senator from Michigan the privilege of vindicating the petition he has presented." Was ever design more palpable? The gentleman, Mr. Seward, tells us the paper has been published *fifty thousand times*. Will he please tell us whether these *erasures* were published in the original? *Who* has dared obliterate or erase one word of this petition of distressed men? The gentleman tells us he has never read the paper. How, then, can he know that it is the same paper which has been printed fifty thousand times? Because of my criticisms on

these erasures, the gentleman thinks I am like a county court lawyer. Well, I had rather be a professional lawyer than a professional politician. Here, in my profession, and everywhere I am the same man. Sir, I suspect the purpose of this paper is for agitation, for party, for sectional interests. Sir, I supposed the gentleman could tell us something of these *erasures*. The authenticity of this document has been questioned. I meant no offense by my question; it was made in no spirit of unkindness to Mr. Seward; but, upon advertizing to these erasures, I was told that my conduct more became a county court lawyer than—

Mr. Seward.—No, sir: “More became a county court than the Senate of the United States.” The honorable gentleman from Kentucky is the last man I would attempt to disparage as a lawyer. I consider him at the head of his profession.

Mr. Crittenden.—*For that* I thank the honorable senator. I do not wish to continue this debate; I have had my time in that. My purpose is not to be a partisan; it is my only ambition now to be a *patriot*. In the little of life that is left me there is no hope of preferment but a simple desire to serve my country honorably. I seek no quarrels; I seek no controversies. Whatever offense there has been on my side or the honorable senator's, has grown out of his explanation, and was a misunderstanding on my part of expressions used by him.

Mr. Seward.—Mr. President, one, two, three, four honorable senators have thought necessary to assail me in the course of this incidental debate. I must say, in regard to the honorable senator from Kentucky, that he has done me all the justice I had a right to demand,—that which belonged to his generous nature. I give my right hand to him in pledge of a continuous friendship and fellowship which have lasted a quarter of a century.

(Abbott Lawrence to J. J. Crittenden.)

BOSTON, April 25, 1856.

MY DEAR SIR,—I write to thank you, first, for the well-merited castigation you were good enough to inflict on the senator from Ohio. There is an accepted time for everything, and you selected the right moment to *annihilate* “Ben Allen.” Our people are delighted; the charm of the thing is in the quiet dignity with which your remarks are characterized. You have done many good things in your day. I deem this last, however, among your best efforts, besides doing high service to the country. And now I wish to thank you for Frémont's Journal. I am very happy to possess it. I wish you all a safe deliverance from this session of Congress, and remain, dear sir, most faithfully,

Your friend and obedient servant,

ABBOTT LAWRENCE.

To the Hon. J. J. CRITTENDEN.

(J. J. Crittenden to A. T. Burnley.)

WASHINGTON, 16, 1856.

MY DEAR BURNLEY,—Your several letters, of the 28th ult., and 8th and 11th of the present month, have been duly received, and I am much obliged by the full information they give of the subject to which they relate.

Our intercourse has been such for a long time past as to make you perfectly acquainted with my disposition and feeling in respect to a nomination to the Presidency, and in regard to the Presidency itself. There has been no reserve between us on the subject, and you know what my sentiments in relation to it have been and are.

That the Presidency is an office neither to be sought nor declined, is a sentiment that accords so well not only with my judgment, but with my *natural* temper and constitution, that I adopt and follow it rather from instinct than from any nobler or more patriotic consideration. It costs us no exertion to follow where our nature leads. I have never, therefore, *put forward* any *pretensions* to the Presidency, much less pressed them; nor have I ever endeavored, from any selfish feeling, to put back the claims or pretensions of any man. But, notwithstanding all this, I have a pride of character which does not permit me to humble myself so far as to shrink from or to decline even the Presidency itself, if such an honor and station should unexpectedly be offered me. But I am no candidate,—no seeker for the office. I have said *no word*, taken no step in that direction. Nor will the nomination of another be any disappointment to me. I can willingly witness the nomination of another, and support that nomination, too. And of all the persons who have been named for that high office, I prefer our friend Davis. I would throw no obstacle in his way to a nomination, and would support that nomination with all the little power or influence I may have. I verily believe that Davis would do the same by me. And is not this all that could be required of either of us? I can say further, that if I could, by my word, close up all uncertainties of the future by accepting or making Davis the successor of Pierce, I would do it with an unalloyed feeling of gratification.

I do not think that Davis's friends ought to have sought in the *Kentucky* Convention for him any expression of *preference* over me. It is true that I had avowed no pretensions; but, like him, I had been spoken of for the same high office. *Seniority*, at least, was on my side; while more than willing to see Davis advanced, I might naturally feel some mortification at being passed by unnamed and as forgotten. His friends did not manage the thing well. Do not believe that any unkindness

has been created in my mind by this proceeding. If Davis can get the nomination of the national convention I am content. I wish he would find some occasion to visit this part of the country, and especially Pennsylvania and New York. He has been long out of public life, and is not sufficiently known or appreciated there. He, I believe, is less favorably considered there than even I am. This is owing, in some degree, at least, to his being personally and politically less known. I think Davis has some peculiar claims on the American party, and I am sincerely anxious that he should be properly known and appreciated. You well know how to estimate what I say, because you know how little I care for myself in this matter, and how much I care for my friends in all matters. I am as willing as any to serve friends, but no *surrendering* must be required of me. But I must quit this subject. So far as concerns me, I have nothing to complain of the convention that lately met in Frankfort, or of its proceedings. Your course was such as became you, and you said nothing for me or in relation to me but what I approve. From my not writing to you you may infer, as the truth is, that I wrote to no one, attempted to influence no one, and took no part whatever in respect to the convention. Mr. Davis's friends and mine are to a great extent the same, and I hope they may remain so, and that no paltry jealousy will be allowed to produce any alienations.

I must close this letter. I wish you were coming here instead of going South. Many are the inquiries made about you, and many are they who would be delighted to see you here.

I am going out to dinner and the hour has come.

I send you the copies which you request to be returned. I owe many letters to home folk, and I intend to pay them very soon.

Give my kindest regards and love to all.

Your friend,

A. T. BURNLEY, Esq.

J. J. CRITTENDEN.

PHILADELPHIA, May 28, 1856.

DEAR SIR,—At a meeting of citizens of the city and county of Philadelphia, convened at the county court-house, Saturday evening, May 27, the following resolution was submitted by William S. Pierce:

*Resolved*, That the conduct of the Hon. John J. Crittenden, of Kentucky, in seeking to protect the Hon. Charles Sumner from the murderous assault of Preston S. Brooks, should receive the warmest thanks of every friend of humanity as strongly

and strangely in contrast with the conduct of other witnesses of that cruel and bloody scene.

The resolution was unanimously adopted, and the officers of the meeting were instructed to forward a copy of the same to you, which we have the honor now to do.

GEORGE H. EARLE, *President.*  
JAS. M. TRUMAN, } *Secretaries.*  
LEWELLYN PRATT, }

Hon. J. J. CRITTENDEN, *United States Senator.*

Mr. Crittenden.—If I understand my friend from Georgia, he admits that improvements for the common defense are national objects, and that the public money may be expended in constructing such fortifications. Now, I ask him if the benefit of that is equally distributed? This constitutional idea seems to demand not only that the system of taxation shall be equal, but that no man shall be required to pay more than his adequate proportion of taxes. If *that* is not sufficient to produce all the equality intended by the Constitution, and if we are compelled to make no other improvements than those, the benefits of which can be distinctly traced equally to every tax-paying citizen of the United States, *where* and *when* is there an improvement that can be made? On such a theory this government is a barren, lifeless trunk, forbidden to do good, forbidden to advance the great national necessity which has created it, and which pays for it. On this principle Congress can do nothing. Let us apply it to the admitted constitutional power of improving our seaboard frontier, so as to guard against the incursions or inroads of foreign warfare. Are they equally beneficial to all the people of the United States? If, in regard to the expenditure of money for internal improvements, we are to individualize ourselves and look exactly to the equal benefit which every one is to receive, why not apply the same view to the admitted constitutional construction of fortifications? Why may I not say to the senator, on his own principle, "You may make fortifications, but they must be national?"—and I include in that term an equal benefit, an equal security, to every one in the country.

Now, can you say to me that the fortresses you have erected in California are necessary to my security in Kentucky, equally so, at least, as they are to the people of California? No one can say that. But for your railroads, and telegraphs, and steamers a war might go on for a year in California and never be heard of in Kentucky; it might rage for years without ever reaching me in its remotest consequences or remotest evils. If you demand, as an essential element, in every constitutional expenditure of money for such objects, that the benefits shall

be felt equally in all localities, no work can ever be done; your hands are palsied, and you have a government the wonder of the world,—a government which can collect money unlimitedly, but which can appropriate none of it to the advantage and improvement of the country. It seems to me this would reduce us to a very low level,—make us perfectly impotent and incompetent in those functions of government which are esteemed useful and beneficial in other countries.

Mr. President, all the means of giving prosperity to the country and multiplying its people are, in some sense, the means of defending the country. They give you that blood of which the gentleman says every drop should be poured out, when it is necessary, for national purposes. When we consider ourselves as one people, we can say, as the gentleman does, and as I concur with him in saying, that a fortification in San Francisco is a benefit to me. Why? Not because you can trace it by any arithmetical calculation of interest; not because you can affix upon me or to me a quantum of benefit exactly in proportion to the amount of taxes I pay, but because it contributes to the exaltation, and protection, and wealth of my country. I am willing to consider that what is done for the benefit of one section is an advantage to all, because all constitute at last one great whole,—one great Union,—and what benefits one limb benefits the whole system. This is the view I take of the matter. I do not see the difference between the principle upon which fortifications are to be constructed and the principle upon which internal improvements are to be made. You are to consider it in a national point of view, that what benefits a part benefits all. This applies as well to roads, canals, and rivers as to fortifications. But, in another point of view, and in every point of view, is not the Mississippi River of importance to the national defense? Suppose that Texas is assailed in time of war,—a weak portion of the Union,—how are you to get to her? how are you to carry your troops and munitions of war to her assistance? The most convenient, and, in fact, the only way of carrying them expeditiously, must be through the mouth of the Mississippi River. May you not make great military roads? Why, sir, Mr. Monroe, one of the authorities cited by the senator (even when he was in the act of vetoing bills of internal improvement), admitted that a military road could be made. Here is a great military highway. It is not only your mighty commerce that must necessarily go to all the world through the mouth of the Mississippi, but your military defenses, your soldiers, your armies. How are the men of the West to be transported along your coast when their aid is necessary to the defense of the country? It seems

to me this should be considered a national object. There is not one of the great men alluded to by the senator from Georgia who has not admitted the power of making national improvements. General Jackson most distinctly admitted it. There is not one who has conformed his action, as President, to the principles announced by the senator from Georgia. The Congress of the United States have, upon solemn argument and deliberation, announced this principle. On the score of authority there is nothing to be gained by those who argue against the constitutionality of such works.

## CHAPTER VII.

1856-1857.

Kansas—Naturalization—Presidential Election—Claims of Revolutionary Officers—Letters—G. T. Curtis to Crittenden, Crittenden to his Wife, Letcher to Crittenden—Senate, February 4, 1857, Pay of Lieutenant-General—Heirs of the late Colonel John Hardin—Letters—In Senate—Land Route to California—Letter to Hon. R. C. Winthrop as to the Degree of Doctor of Laws just conferred by Harvard—Letter to J. Underwood as to Senatorship.

ON the 10th of June, 1856, Mr. Crittenden offered the following resolution in the Senate:

*Whereas*, dangerous popular disturbances, with insurrection and obstructions to the due execution of the laws, unhappily prevail in the Territory of Kansas; and *whereas*, it is of great importance that the military forces which may be employed for the suppression of these insurrectionary disturbances, and for the restoration of law, peace, and protection to the good people of the Territory, should be conducted with the greatest discretion and judgment, and should be under the command of an officer whose rank and reputation would render his services most useful and beneficial to the country in the present crisis, —a crisis requiring firmness, prudence, energy, and conciliation; be it therefore

*Resolved*, by the Senate of the United States, that the President be, and is hereby, requested to employ the military services of Lieutenant-General Scott in the pacification of Kansas, and the immediate direction and command of all the forces to be employed for that purpose, under such instructions and with such authority and power as the President can and may think proper to confer upon him.

Mr. Crittenden made a few remarks on presenting this resolution. He thought the high station and character of General Scott would enable him to do more than any other man. The spectacle which existed in Kansas was enough to make us ashamed of our country. It might, indeed, be called *civil war*, and no effective step had been taken to remedy the disgraceful evil. The peace of the whole country was seriously threatened.

We had had enough of debate. It had been rather of a character to irritate and provoke than to contribute to impartial judgment. The great question could not be thrown off on the State government. The Senate was responsible. It was useless to show the measure of wrong done, on one side or the other. The aim should be to give peace to the country, North and South. Was the arm of the people of the United States paralyzed? Had they no power to assert the majesty of the laws? —then let them no longer wear a crown which only deludes while it promises protection. “All know,” said Mr. Crittenden, “on which side of the controversy my sympathies are. They are exactly where my education and the habits of my life would naturally place them; but I am no partisan; I have lived to learn, through the course of a long and active political life, something more of forbearance, something more of prudence, more, I hope, of patriotism than is prevalent in these days of active party strife. General Scott, in going to Kansas, would carry the sword in his *left* hand, and in his right hand ‘*peace*,—gentle peace.’ His great name would speak trumpet-tongued for peace, his words of reproof would be sharper than the sword to the refractory and rebellious, and his words of cheer would comfort and strengthen good men, who had been drawn unwillingly into this strife, or made its victims. His character is marked with integrity, impartiality, and justice. Those who are lost to a sense of duty will know that they will be made to feel the power of the sword of this great people in his hands. He is a man of conciliation, and has been as successful in quieting the minds of the people, thus making peace, as he has been in the field of battle. It would be better to employ the name of a great warrior to make peace than the sword. If there was any justly obnoxious laws in Kansas they should be repealed.”

In 1856 there was considerable excitement throughout the country on the subject of the naturalization laws. Many were opposed to the facilities of access to citizenship which these laws afforded to aliens. Mr. Crittenden considered it a priceless boon, not to be lightly bestowed upon all who asked it. He declared that a great foreign influence was already exercised in our elections. The candidates for the Presidency were voted as stock in market. Who is the German vote going for? One

day it was said for Buchanan, the next day for Frémont; and this was the scale by which the chances of a presidential election were rated! He considered this a shame to our Americanism. As long as a foreign population could be absorbed in our own, and be identified with it, all might go well; but it was already with us a distinct element, and dangerous. The great armies engaged in the Eastern war were about to be called home and disbanded. These men,—many of them,—imbued with the spirit of bloodshed, and begrimed with the dirt and vice of a camp, would be pushed off upon us. They were instruments of war, and not of smiling peace. Foreign nations, inimical to our government, might see the practicability of destroying our institutions by pouring in this worthless horde of paupers to become citizens. Mr. Crittenden was opposed to this not on any party ground, but because Providence had assigned to him the lot of an American citizen with all its grand rights and privileges. We were now about to enter upon a national contest for President, and slavery and anti-slavery were the watchwords,—*nigger worshipers*, as they were called on one side, and some term of reproach on the other. These were the sounds of the mighty contest. Should a great national question be conducted under such auspices? Mr. Crittenden thought our fellow-citizens of the North should take a more conciliatory view of this subject. Unquestionably the *assault*, or the men who led it on, came from the North. Who of their representatives had been heard to say to his brethren of the North, "Be reconciled to thy brother?"

Mr. Crittenden was for dealing in a large and liberal spirit with all those who had just claims upon the government, and above all others he advocated the claims of the old soldiers of the Revolution and their descendants. Congress, under the advice of General Washington at the crisis of the war, passed a law promising the officers of the army who continued in the service until the end of the war half pay for life; subsequently these officers were authorized to commute this claim of half pay for life to full pay for five years, and for that Congress agreed to grant them a certificate of debt, payable ten years afterwards with interest. The war had closed before this last offer was made and the country was exhausted. The officers

were without means, almost without hope, and many of them agreed to accept this commutation. In 1856 a bill was introduced to place those who accepted the commutation upon the same footing with those who did not commute, deducting the amount of the commutation from the half pay for life. This bill met with considerable opposition. Many contended that it was a mere debt of gratitude—a gratuity. Mr. Crittenden spoke eloquently in favor of the bill. He contended that it was a moral obligation to make good to the uttermost obligations, founded on such meritorious considerations, so soon as we were able to do so. These officers came out of the war *victorious* but *naked*, triumphant but penniless. This tempted them to receive the commutation. If credit was given for *that* on the account, there was no restraint in the Constitution to prevent the government from satisfying their sense of moral obligation by paying the full balance, now that the country was prosperous, and able to pay. No national debt is recoverable by law; the creditor must depend on the sovereignty and on the gratitude of the government. There is a high obligation to satisfy this debt of the Revolution; from *that* we derived our being as an independent government. The transactions of those days were hallowed. It was a sacred generation, a period sacred to liberty; everything belonging to it should be sanctified to our feelings. We should make good to these old soldiers every farthing to which they are entitled. It was in 1783 that this commutation of five years was accepted, and ten years were to elapse before the principal was to become due. The country was a confederation—the government weak and impoverished. The wisest men could not foresee what was to be its destiny; it might fall to pieces from inability or want of cohesion at any time; it had no credit. What was the value of these certificates payable ten years afterwards? What did the needy soldier do with them? Sold them for a merely nominal price; they depreciated day by day. We should make to these officers some indemnity for the losses sustained. I will oppose any amendments to the bill: I go for it as it is. If sent back to the House, want of time will be fatal to it.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

WASHINGTON, July 4, 1856.

MY DEAR DAUGHTER,—I inclose this in a letter to our minister in Paris, the Hon. John Y. Mason, in which I have apprised him of your trip to Europe, its objects, etc., and recommended you to his kind attentions and to his official *aid* and *protection* in any way that may be useful to you, and under any circumstances of difficulty that may possibly occur to you. I have said to Mr. Mason that I had told you to appeal to him in any case of difficulty. The day we parted I left New York for Washington, and have since been so much engaged that time has stolen away from me, and I fear my letter will not reach Paris in time for you. My thoughts and wishes have been *about* and *with you* every day and night since you sailed, and if they could propitiate the sea and the winds for you, you would have a safe and pleasant voyage. Whilst I write, you are in the midst of the *mighty ocean*. Its mysteries and its terrors are, to my imagination, like those of eternity. May it be calm and kind to you, and waft you and your children safely to your destined harbor. You do not know, my dear daughter, the anxiety with which my thoughts follow you and will rest upon you during your absence. You will be in a strange land, among strange people, with strange habits, and without any experience of European society to guide you. You will have many difficulties, many trials, which will require all your prudence and all your intelligence. I have great confidence in you,—I could not have more; but I do not know the dangers and difficulties that may surround you in your new and untried situation; therefore I am most anxious about you and your children. Your mother sends much love to you and to the children. Accept for yourself and them my love also. Farewell, my dear daughter, and may God bless and protect you.

Your father,  
J. J. CRITTENDEN.

Mrs. ANN MARY COLEMAN.

(J. J. Crittenden to R. C. Winthrop.)

WASHINGTON, July 6, 1856.

MY DEAR SIR,—Your letters are always acceptable, but that was particularly so in which you suggested the propriety of sending General Scott to Kansas to restore peace to its troubled borders. This letter was received while I was diffidently contemplating the same thing, and it at once determined me to attempt it, and to offer the resolution which I moved in the Senate; and when it was first offered it appeared to be received with general favor; but the reflections, and, I suppose, the *con-*

sultations, of the night, brought forth, next day, a strong opposition. The source of this was no doubt in the White House and its appurtenances. It was said to be an *encroachment* upon the rights and powers of the President. He, however, has not altogether disregarded the suggestion contained in the resolution; for, though he *would not* send Scott, he has sent the next best man, General Persifer Smith; and from his mission a good result may be expected. Public affairs are in a wretched condition, and the future appears to give but little promise of any relief. I had a letter of the 2d from Governor Letcher. He is a shrewd observer and calculator of political events. He says Buchanan is too old to carry the weight that has been packed upon him; that Fillmore will carry Kentucky, and is gaining everywhere. I *hope* he may be right. I have not his confidence, but am not *without* hope. Fillmore's progress through New York has quickened his cause. What think you of this, and what chance has he in the North? I will be gratified to hear your views. Massachusetts can give light to us, if nothing more.

Believe me, your friend,

Hon. R. C. WINTHROP.

J. J. CRITTENDEN.

(George T. Curtis to J. J. Crittenden.)

BOSTON, July 10, 1856.

MY DEAR SIR,—I am under great obligations for your kind favor of the 16th inst. I scarcely know what to say to you about the New England States. Maine, I think, will go for Frémont; New Hampshire may be carried by the Democrats, but it will be a hard struggle. Vermont I consider safe for the Republicans, and probably Rhode Island will go that way. In Connecticut, there is a strong body of Whigs, and something of a national section of the American party. If they unite their forces upon Fillmore they will be likely to give him the vote of the State. In Massachusetts we are in a very uncertain condition. The State government is in the hands of men of the American party, who are in the market for votes to retain their places. The last news of them is that they don't intend to go over to Frémont; but I consider them very unreliable. The Whigs "*pure*," who cast fourteen thousand votes at the last election of governor for a district candidate of their own, have decided to hold a State convention on the 2d of September; but their course is uncertain. At a meeting of about one hundred leading Whigs from all parts of the State, held here last week, to advise with the State Central Committee, I was gratified to find a thoroughly national tone; and I think that a majority of the party will be for nominating Fillmore. There will be a *split*, and a portion of those who now call themselves

Whigs will go over to Frémont at once. This portion is now in favor of passing a resolution that each Whig shall vote for such candidate as he likes best. The object of this is, that they may vote for Frémont. My belief, however, is that, after a hard fight, Fillmore will be nominated in due form by a majority. The alternative for the National Whigs is to vote for Buchanan. The great difficulty in our way is, that we cannot make an arrangement with the Americans to support Fillmore without bargaining with them about State officers. Men of character will not do this! "*Coalitions*" have become rotten in the nostrils of our people, and been denounced by the Whigs in the most emphatic manner ever since a *coalition* put Sumner into the Senate. But for this difficulty, many of my friends think the State could be carried for Fillmore. If this can be surmounted, there is a chance, but not a hopeful one. The anti-slavery sentiment is, as you are aware, excessively strong, even violent. My own feeling about the present election is, that the first duty to be done is to defeat this sectional, dangerous, and unprincipled combination called the Republican party, and that it is, therefore, a case for voting on the strongest side. If I should find myself voting for Buchanan, this must be my excuse and my vindication; but if my vote for Fillmore seems likely to be as effectual for what I regard as the great object, I shall, of course, throw it in that direction, and with it all the little influence I possess. You, my dear sir, in the ordinary course of nature, may not have to endure quite so long as myself the terrible calamities that may be in store for us; but let us hope that the wonderful adaptation power and theoretical stability which our fathers gave to this admirable system of government, may enable it to withstand the *shocks* that are approaching. Believe me always,

Faithfully yours,  
GEORGE T. CURTIS.

(J. J. Crittenden to his wife Elizabeth.)

BOWLING GREEN, October 9, 1856.

MY DEAREST WIFE,—I have received your letter of Sunday last with great delight, and hoped to receive another here, but in this I have been disappointed. The day is passed, and it has been quite an exciting one. Mr. Ewing, from Nashville, met me here for the purpose of replying to me. I assented, of course, and we had a debate. My friends are satisfied with the result, and so am I,—though Mr. Ewing acquitted himself well and like a gentleman.

To-morrow morning I start to Russellville, and from there I will write to you again. I am pleased to think that I am ap-

proaching the end of my engagements and may soon turn my face homewards. I should seem to flatter you if I could tell you how much I want to see you, and how impatient I am to be with you.

Gentlemen are in my room from whom I have begged a moment to write you this note. I was received here with great display and in the most affectionate manner. I am almost overwhelmed with kindness.

Farewell, my own dearest wife. All well.

Yours,

Mrs. ELIZABETH CRITTENDEN.

J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

LOUISVILLE, October 19, 1856.

MY DEAREST WIFE,—I arrived here last night too late for the cars to Frankfort, and now having been prevailed on to speak here to-morrow night, I write to beg you to join me here to-morrow evening. I will engage a room at the Galt House. Do not fail to come. I never in my life wanted to see my dearest wife so much. Governor Letcher's presence is much desired here,—he can be your attendant. If not, Robert Crittenden or Andrew McKinley must come with you. We will return to Frankfort just when you please, and stay here just as long as you please. Prepare yourself accordingly,—but come you must. I would hardly be another day without you for the Presidency itself. I suppose I shall be obliged to commence speaking before the arrival of the cars from Frankfort, and cannot therefore meet you, as I would wish to do. But come at once to the Galt House, where you will find a room prepared for you, and where I will join you as soon as possible. I will give orders for an oyster-supper to be ready for you as soon as I return from speaking. If you should disappoint me by not coming, it will almost kill me; but I will not anticipate any such misfortune. My trip has been in every respect gratifying to me, and I was never in better health than now. I insist upon Letcher coming with you; I want him very much, if but for a day.

Farewell, my dearest wife, the thought of meeting you so soon fills my heart with delight.

Your husband,

Mrs. ELIZABETH CRITTENDEN.

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, October 20, 1856.

DEAR CRITTENDEN,—I have yours of yesterday, and I am deeply concerned that it is impossible for me to join you to-

night in Louisville. The truth is, I am tied *hand and foot*, and can move but in one direction. My wife goes to Garrard this evening, and this week, in that region of country, I am forced to attend two mass-meetings. I have a thousand things to tell you, which will be of no sort of *interest* after the election. When in Philadelphia I saw the game fully, and told our friends that money and fraud would beat us in the State elections. Our visit had one good effect,—*that was* to prevent any miserable bargain to unite in the electoral ticket with the Frémont party. Hit or miss, win or lose, I want our party to stand before the whole world a grand moral spectacle of integrity and patriotism. I saw *Fillmore*,—*he was calm*. I gave him to understand that we would lose the State election in Pennsylvania. He was evidently surprised. I told him also I entertained *great fears* of New York. Our leaders there say “there is no doubt about the State,” *but I know better*. Fillmore expressed the greatest anxiety for me, and Corwin, and yourself to speak in Rochester, and two or three places in that region. I was *almost forced* to stay last Monday in Rochester. I think, and Fillmore thinks, a speech from you would make a difference there of a *thousand votes*. Suppose you take a run there; you have no idea of the wonderful effect your visit would have. They can give you an audience in Rochester, upon one hour’s notice, of three thousand. Speak also in Buffalo. Telegraph Corwin to join you. Do for the sake of the Lord and country take that trip.

Mrs. Crittenden will be with you to-night.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

(In Senate, February 4th, 1857. Pay of the Lieutenant-General.)

Mr. Weller.—I am instructed by the Committee on Military Affairs, to whom was referred the message of the President of the United States, communicating the correspondence between the Secretary of War and Lieutenant-General Scott, to move that it be printed.

Mr. Crittenden.—*Is that* the document which is desired to be printed (alluding to the large mass of papers on the secretary’s desk)? It is quite evident, if that document is to be printed, that this call for information must altogether defeat the bill to which it relates. It has been three or four weeks since the bill came from the House of Representatives, and now we are asked to print that large document. I hope the Senate will not order it to be printed, but will act with dispatch upon the bill. The evident effect of printing is to defeat the bill. I hope the matter will be referred back to the committee, with instructions to report promptly. I shall vote against the publication. I regret very much what has been stated here as to the personal

character of a portion of the correspondence. No doubt the senator from Tennessee expresses himself correctly when he says both the gentlemen ought to regret it. What there is blamable in the correspondence is the expression of too much personal feeling and personal language. The senator says those officers have chosen to have such a correspondence, and we ought therefore to have no hesitation in publishing it. I am sure my friend from Tennessee would not wish to publish every gentleman's correspondence. These officers have fallen into a passionate spirit in a controversy respecting a doubtful act of Congress; that is all. In that discussion they have become personal. Now, who is to be benefited by this publication? It might gratify the curiosity of the world; but is it our place to do this in transactions of this character? Shall we hold it up to the gaze of the curious? Is it for us to call attention to it? Shall we not rather let it pass? Let us not see such things; let us never propagate them. This is my idea of the propriety which becomes the Senate of the United States. We are here for the transaction of public business, not for interfering in private quarrels and publishing angry correspondence, which may occur even between the best-tempered gentlemen in the world. There is a want of discretion; let it be buried. It profits nothing in the discussion before us. How can this correspondence contribute to our understanding of the subject? We learn that the officers of the government who have to execute the laws differ about their construction. We do not undertake to decide what construction is right. We take no part in that; we simply take up the subject and undertake to settle it in our own way, as we ought to do, our laws being ambiguous and imperfect. We condemn no one's opinion. We do not say that General Scott or the Secretary of War decided correctly, or that either decision shall be final. We learn from the controversy that the laws are ambiguous. We want to make them clear and to fix the pay, and to decide all the allowances to which the rank conferred on General Scott entitles him. This is the question we have to attend to here. We should take no part for or against the contestants; but, departing altogether from the doubtful question of construction, we propose to make a *new law* on the subject, in respect to which there shall be no doubt. How can it serve our purposes to be ransacking the departments and entering into the private quarrels of these gentlemen? We have simply to say what pay we intend General Scott shall receive—an open, an abstract question. If these officers have been guilty of indiscretion, shall we make it known to the world? Is this the way to deal with friends—with public officers? I think not. I hope it will not be printed.

Mr. Crittenden took a warm interest in the claims of old soldiers upon the government. He believed that such claims should not be regulated by the strict letter of the law; but that a liberal construction and liberal action should be manifested by the Senate. The House bill for the relief of the heirs of the late Colonel John Hardin had been adversely reported upon by the committee. Mr. Crittenden stated that General Wilkinson, in command of the American forces at Fort Hamilton, where Cincinnati now stands, employed Colonel Hardin to go on a mission to the Indians. He promised Colonel Hardin a guinea a day during his absence, and if he *perished* in the undertaking (a probable event), that his widow should receive during her life two hundred dollars a year. Hardin undertook the mission. Before starting he wrote to his wife: "A guinea a day is nothing when I think of my wife and children in Kentucky. I wonder at myself that I think of engaging in this expedition; but I am promised that in the event that I *perish* in it you, my wife, shall be provided for—shall have two hundred a year for life." He *went* and *perished*. The question was whether Congress would recognize this engagement of General Wilkinson as valid. General Wilkinson was at the head of the army, and vested, of course, with discretion. Hardin went with a full knowledge of his danger; he was chosen because of his knowledge of the Indians and his known intrepidity. Mr. Crittenden argued that the contract was binding on the United States, a contract having nothing in view but the public service, and offering reward for nothing but the blood and death of the man employed. The whole amount after the lapse of twenty-eight years, was perhaps five thousand dollars. The widow *is dead*, and in the grand council of the nation her death is pleaded as an excuse for not paying her representatives. Did justice die with her? Such a plea is contrary to every idea of human jurisprudence and to every sense of natural justice. His is not the first nor the last blood of that family which has been shed in the cause of the country. John Allen married one of the family and laid down his life at the battle of the River Raisin. This man's life was worth thousands and tens of thousands to his country. John Hardin, who perished at the battle of Buena Vista, was another descendant of that family. God knows, if blood is of any con-

sideration, the country have had enough poured out from the veins of that family.

It will, perhaps, be gratifying to know that Mr. Crittenden's amendment was agreed to, and the bill was passed.

On the 29th of February, 1857, the subject of the *right of suffrage* being under consideration, Mr. Hale stated that he had voted for an amendment merely to obtain the privilege at a future day of moving a reconsideration, Mr. Crittenden rose and said, "he considered this course of Mr. Hale neither fair nor parliamentary." Mr. Hale replied that it was the first time in his legislative life that his conduct had been impugned as wanting in fairness or obedience to parliamentary law; that there was no man in the Senate from whom a reproof of that kind would fall with more weight than from the honorable senator from Kentucky; "but, sir, notwithstanding his judgment and his censure, I appeal to the Senate, and I avow that the course I took was perfectly fair. Sir, I do not feel indifferent to censure coming from such a source. I am free to admit, that there is no man with whom it has ever been my lot to become acquainted, from whom I could receive such a reproof, from whom it would fall with more weight, *than* from the senator from Kentucky; and I know (because I believe in the calmness of his reflection he is not only honest, and honorable, and upright, but kind) that I can hereafter call upon him to reconsider the very sentiment which he has avowed, and that he will not persist in visiting so humble an individual as myself with the weight of censure coming from such a source."

Mr. Crittenden.—Perhaps I *did* express myself a little too hastily; it was not my purpose to say more than to state the facts of the case. I intended no unkindness. I may be wrong, but I did consider it unparliamentary. It never happened to me to do this in all my life; but my opinions may be formed from too limited a sphere of observation. I know no gentleman in the Senate to whom I would not sooner give any just cause of personal offense than to the senator from New Hampshire. His course has always been respectful and conformable to the order of the Senate. I acknowledge this, but I must tell the gentleman, in all candor, that on this occasion I think as I have stated; others, with as much integrity, may think differently.

(G. T. Curtis to J. J. Crittenden.)

JAMAICA PLAIN, MASSACHUSETTS, 1857.

MY DEAR SIR,—We have here, of course, only the confused accounts by the telegraph of the decision in Dred Scott's case. I want to know what you and Badger think of the Chief's opinion with respect to its ability and reasoning. How will it stand in the judgment of lawyers? The public feeling in this part of the country is much shocked, but I think there is a general consciousness that the subject has ceased to be of any practical importance. The worst of the whole matter is, that the people of the free States must regard the decision as purely a political one, and thus lose their remaining confidence in the court. It is lucky for Mr. Buchanan that this case was not decided a year ago. If it had been, in my belief, nothing on earth could have prevented Frémont's election. I am pained to see (if the telegraph tells the truth) that there is a squabble among the judges as to who shall have the last word. I suppose Daniel and Campbell anticipate flings from McLean, and wish to pay him back.

I am sure they cannot anticipate any "bunkum" from my kinsman, though they may like to answer his law. But this "casting of the parts," as poor Webster said about Hayne, and Benton, and so on, looks like bad blood.

Yours always truly,  
GEORGE T. CURTIS.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

February 10, 1857.

MY DEAR DAUGHTER,—Your frequent letters have given me great gratification, but attended with no little self-reproach at my delinquency in the *correspondence*. You will not permit yourself to believe that it results from any want of affection. You have every title to my love, and possess it in the fullest measure of a father's heart. Be assured of that. My time is much occupied; but this is no excuse for not writing, and I will endeavor to do better in future. Your late letter informed me of the conduct of Mr. Dallas, which has greatly annoyed and provoked me. I send you letters from Mr. Marcy, Secretary of State, and Mr. Guthrie, Secretary of the Treasury. My dear daughter, these letters will secure you an introduction at court. I hope you will use it forbearingly and with discretion. Let it not be said that you are a seeker after princes or palaces, or that you estimate yourself the more because you are received by them. The privilege of admission at court is only to be valued as a recognition of your estimation and standing *at home*. It is that *estimation* which has entitled you to *presenta-*

tion, and this is to be valued by an American lady *far above* the privilege of flourishing for an hour in the presence of kings and queens. This should only be *sought* as a matter of curiosity, or *valued* as a public attestation to your *worth* in your own land. In your situation, it is necessary that you should be circumspect, prudent, and cautious, for your own sake and the sake of your daughters. They are charming girls, but without knowledge of the world; and the duty devolves upon you of guarding them against all the flatteries and temptations of *court society*. The attentions of the gaudy creatures of a court, titled or untitled, are rather to be avoided. It is to call your attention to these things that I mention them, and not because of any want of confidence in you or in your discretion and sound judgment. Your brother George is far away from us, in command at Fort Craig, on the Rio Grande. He has been promoted to the rank of lieutenant-colonel, and for the next two years he will be in command at Carlisle, Pennsylvania. After the long and hard service to which he has been exposed, he is entitled to the repose this command will give him. Congress will adjourn on the 23d, and I feel increasing impatience for home. I was opposed to the election of Mr. Buchanan, but it gave me no personal concern. We are old acquaintances, and, I may say, *personal* friends. We differ *only* in politics. Your mother sends her love. Tell Crittenden I am highly gratified at your account of his good conduct. Farewell, my dearest daughter, and may a kind Providence protect and guard you well.

Your father,

Mrs. ANN MARY COLEMAN.

J. J. CRITTENDEN.

In 1857 the post-office appropriation bill was before the Senate, and Mr. Weller, of California, was a warm advocate for establishing a communication by mail across the continent. Mr. Crittenden opposed the bill. He said:

The cardinal principle at the bottom of the post-office department was to make the income of the department pay its expenses. The proposition was to have a four-horse line of stage-coaches from some point on the Mississippi River to San Francisco, through a desert country of two thousand miles,—worse than that, through a *hostile* country. He said there was already a line established by land, and one by sea, and the Union could not afford to pay for a thing which makes nothing like an equivalent for what it costs. My friend from California, in the course of his argument, has said a great deal about Kentucky and the benefit her people would derive by

going to California, and he wants to know if I would advise one about to take the journey to go by sea and not by the stage route. I will tell the gentleman what is the most honest and unselfish feelings of my heart. I would say to such a one, "Stay where you are in old Kentucky." The senator, Mr. Weller, says he has seen thousands who have escaped from Kentucky and blessed God when they got to California. Now I will tell him a story I heard, premising that I never knew a Kentuckian, no matter *where* he went to, who did not wish to be back in old Kentucky. I refer to one of my constituents, described to me as a *six-foot fellow*, who came, with his rough shoes, stalking into one of the hotels of San Francisco. There was a map of the United States hanging on the wall, and some gentlemen were examining it; he knew they were talking of different parts of the United States; he stepped up and said, "Will you be so kind as to inform me if old Kentucky is on that map?" "Yes," was the reply. "Well, be so good as to put your finger on it for me; I want once more to look on God's land." This is how the people feel who go from Kentucky.

(J. J. Crittenden to Hon. R. C. Winthrop.)

FRANKFORT, July 9, 1857.

MY DEAR SIR,—*Dr.* Crittenden,—ay, sir, a "Harvard Doctor of Laws," gives you thanks for your most friendly note of the 20th ult., inviting him to your "College Festival on the 16th of the present month." To an invitation so acceptable and agreeable in itself he will not answer that he declines, etc.; but it is a serious and sad truth that he cannot comply with it.

Quitting the Doctor and the third person, let me say for myself that it would be the greatest gratification to me to be with you on the occasion. I should enjoy again the pleasure of meeting yourself and others whom I have long learned to esteem and admire, and I am also quite certain I should form new acquaintances whom I would remember with pleasure ever after. I wanted to be with you at your Bunker Hill celebration, but could not, and now again I cannot be present at your "College Festival." These are, indeed, real disappointments to me, which I mitigate as well as possible by promising myself that I will, sooner or later, have some indemnity for them by a long and social visit to Boston. In the mean time I must be patient. "A Doctor of Laws" ought to know how to rule himself and abide his time.

I am always your friend,

To Hon. ROBERT C. WINTHROP.

J. J. CRITTENDEN.

(J. J. Crittenden to J. R. Underwood.)

FRANKFORT, September 6, 1857.

MY DEAR SIR,—I have no fear that you will not appreciate liberally and properly my motives for addressing to you this letter.

To comply with the wishes of my friends I have consented to their presenting me as a candidate for the Senate of the United States, if, upon the meeting of the legislature, they shall then think it advisable and proper.

Though I cannot but confess that the station is desirable to me, I was loth to commit myself to any course that might involve me in contention of any kind with you or other friends. In respect to yourself this reluctance was frequently and openly expressed by me. I was quite unwilling to be regarded as your *personal opponent*, or that any use which might be made of my name should be attributed, in the remotest degree, to any feeling on my part of personal unkindness or opposition to you. From that principal reluctance I have been to some extent relieved by information, which seemed reliable, that it was not your intention to be a candidate for re-election. This information may be altogether incorrect, or, if not, you may, as you have a perfect right to do, have changed your views and determined on a different course.

In this uncertainty, therefore, whether you will be a candidate, or whether my friends (I being absent at Washington) will think it proper to present me as a candidate, I desire to say to you that, whatever the event may be, I hope that I will not be regarded as your personal opponent, acting in any sort of unfriendliness or personal opposition to you.

Nothing could be more unjust than such an imputation, nor more adverse to the feelings with which I truly regard you. If it so happens that our names shall be placed in competition by our political friends, I trust that it will be regarded by them and by us as a public question, and not as a personal controversy between you and me. And I beg you to be assured that neither that question, should it occur, nor the issue of it, whatever that may be, shall ever provoke in me any sentiment of unkindness. My only feeling will be that of regret that there should have been any competition between us.

Permit me to say, in conclusion, that I have thought that this open and candid communication was due to our ancient relations, and might, by preventing misconstructions, tend to preserve those relations and those amicable sentiments in which I desire to remain always

To Hon. Jos. R. UNDERWOOD.

Your friend,

J. J. CRITTENDEN.

## CHAPTER VIII.

1857-1858.

Letters—Letcher to Crittenden—Letter to Mrs. Coleman—General Scott to Crittenden—S. A. Douglas to Crittenden—Kansas, Slavery and Anti-Slavery in the Senate—Washington Hunt to Crittenden—John O. Sargent to Crittenden—B. Silliman to Crittenden—Letters to O. Brown and to Hon. R. C. Winthrop.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, December 26, 1857.

DEAR CRITTENDEN,—Had the pleasure to receive your favor yesterday, for which I thank you. In regard to the senatorial election, much to my deep mortification and regret, I can tell you that *it will not be postponed*. “*My young warriors*” are a poor, timid, unreliable set of fellows; a portion at least of them are of that character, and could not be made to stand up to their plain duty. The election will come off the 5th of January. I shall try to prevail upon the devils to make another fight over it; but I am pretty sure nothing will be done. Powell will be the man. Yes, I have noticed the progress of that war between the President and Douglas with great interest. Poor Buchanan, I apprehend, will be the most odious President we ever had. If you remember, I told you at least twenty times that he would break down in less than a year. Well, it’s a hard fate for a man to be eaten up *by his own dogs*. Nothing on earth can save him that I can see; he must *look to the Lord for help*; but he will look there in vain. Douglas, it appears to me, will divide the Democratic party and take the Northern wing for his portion, and also some part of the Southern wing. The naked truth is, poor B. is in a false position, and, with all his long experience in the art of dodging, he can’t *get out of it*. Every intelligent man with whom I have conversed thinks Douglas has the right on his side. The Lecompton Constitution is a *bad cheat*, and all Mr. B. can do with it will be to make a war in Kansas. I understand from sutlers who have just returned from Kansas that there are not five hundred voters in all that country in favor of the constitution. He says *Democrats* in vast numbers denounce it as a shameful fraud. Logan Hunton told me the other day *to tell you* from *him* to keep out of the Buchanan

difficulty. I agree with him in this advice. Let the people of K. have a fair chance to form their constitution. No *force*—no *tricks*—no *ravishment*.

Warm regards to Mrs. C.

Your friend,  
R. P. LETCHER.

(J. J. Crittenden to Mrs. A. M. Coleman.)

WASHINGTON, Feb. 20, 1858.

MY DEAR DAUGHTER,—You are right in supposing that I am a poor solicitor for office, especially for any of my own family. I mentioned, however, to General Cass, our Secretary of State, your wish that your son should be appointed consul at Stuttgart, and learned to my surprise that the application had been made before, and had been the subject of several consultations between the President and himself, and that their wish was to make the appointment. This conversation took place a few days ago, and the matter was left unsettled. I said to Cass, on parting, that I did not intend to be a solicitor for office, and unless I heard from him on the subject in a few days, I should write to you to abandon all expectation of the appointment. I have not since heard from the secretary. Congress seems but little disposed to adopt the President's recommendation for an increase of the army; whatever increase may be granted will probably be made temporary, and limited to two years, so that this will not much enlarge the chances of such *permanent* appointments as ought alone to be acceptable to your son and Mrs. Livingston's. I hope, however, to be able to procure appointments for both. I believe I feel quite as much solicitude that young Livingston should receive an appointment as that Crittenden should do so; and this you will approve, as it is the result of a debt which all of your family owe to Mrs. Livingston for her kindness to you. She has done me the honor to write to me in behalf of her son, and I shall reply to her. The distance which separates us seems to be an obstacle to my writing. I think of you and your children every day, and the distance also increases my anxiety and affection for you all. You must now feel at home in Stuttgart, and I am relieved by thinking that you are surrounded by acquaintances, and I hope friends indeed. I am almost afraid that this new residence may make you and your children a little forgetful of your *native home* in your own great country. Washington has been unusually gay this winter. I rejoice that *Lent* has just commenced, as it will be a restraint on many of the party- and dinner-going people of this good city. *Lent* is a good thing, and I have learned to think of it with much more *pious regard* than heretofore. In my present mood I could almost wish that the

church could find a warrant for *several Lents* in the course of the year. We visited George, at Carlisle, in December. He is in fine health, and bent on his long-projected trip to Europe. Tell your daughter Eugenia we all feel quite *elated*, even at this distance, at the thought of the fine company she has been associated with,—dancing in a palace, and with *nobles* and *princes*! We shall hardly know what to do with you all when you get home. It behooves you to remember that you belong to a plain, free country, where there are neither nobles nor princes. I am afraid you will find it a little difficult to "shuffle off the coil" of notions, tastes, and habits which the artificial state of European society so cunningly and so pleasantly wraps around those who come within its splendid circles. Set not too much value on these things; they are but pageants, unreal, and fleeting. Give my love to your children, each and all, and accept for yourself my *best love*. May He whose benign providence is everywhere protect you all in your distant home, and bring you back, in health and prosperity, to your father and family.

Your father,

Mrs. A. M. COLEMAN.

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, February 25, 1858.

DEAR CRITTENDEN,—Well, I presume the great debate with regard to *Kansas matters* will come off very soon? As a matter of course you will have to take your position for or against the Lecompton Constitution, and that position you will have to defend by all the power and ability of which you are master. I have been asked at least a hundred times, "How will Crittenden go? Will he take sides with the President, or will he sustain the rights of the people of Kansas?" My answer has uniformly been, "He will look over the whole ground, and then decide, as becomes a statesman and a patriot." The truth is, I never entertained a doubt as to the course you would take when the time came to decide. I shall not undertake to instruct you. I do not think you need any instructions. If I supposed you did, I should tell you as you valued your own high reputation, and the honor and peace of the country, as well as the eternal principles of justice, to stand up as firm as the Rock of Ages against the most barefaced fraud and cheating the world ever saw, in the formation of the Lecompton Constitution from the beginning to the end. That Mr. Buchanan, and the leading politicians of the South, should have the bold indiscretion to attempt it,—to force such an *instrument* upon the great majority of the people of Kansas,—is an enigma to me. What good can come of it, if it should be forced through Con-

gress? It appears to me that Mr. B. has placed himself in a false position from first to last, and that his whole course upon the subject is puerile in the extreme. I feel vexed, as well as distressed, that he should allow Douglas to administer upon his *stock in trade* before the breath is out of his body. In the *event* that you shall take your stand *against* the Lecompton Constitution, I shall *pat* you on the back, and cry aloud that you have been faithful to your country. It may be, however, that I don't see the thing in *all its bearings*. It is possible somebody may be able to prove more than the President has proved,—that it's all right, all fair, all just: like Pugh, I ought to wait for the facts. Well, I have never yet talked to the first human being who believed that the Calhoun swindle ought to be countenanced.

We are putting up *ice* in abundance; that's good news to you, *I know*.

Warmest regards to Mrs. Crittenden. I am glad to hear she enjoyed her dinner at Sir William Gore Ouseley's. Good as the dinner was, I will bet she had no *corn-bread*, no *jowl* and turnip-greens, no *chine*, no pancakes, no home-made molasses, and good milk, *half cream*. The Queen is pretty well, and gives me a "*poor man's breakfast*" every morning at nine o'clock. Carneal is more and more amiable every day.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

(General Winfield Scott to J. J. Crittenden.)

HEADQUARTERS OF THE ARMY,

WASHINGTON, February 26, 1858.

DEAR CRITTENDEN,—Having read, with the liveliest interest, the memorial of Mrs. Turnbull, the widow of the late Colonel Turnbull, asking for a pension on the ground of her gallant husband's most distinguished conduct in the field, and other excellent services throughout his long official career, I beg to say that nearly all the important facts set forth in the memorial I *know* to be true, and *believe* all the other statements to be equally so. I can especially add a most material fact not inserted in the memorial, viz., that early in the siege of Vera Cruz I had occasion to detach an officer of the general staff to inspect and to verify the line of *investment* (some seven miles in length) about the city, in order to be sure that not a gap was left through which the garrison could interchange communications with their friends in the country, and particularly to guard against the reception of supplies and reinforcements; that I dispatched Colonel Turnbull on this important duty; that I was induced to select him mainly on account of his remarkable strength and

vigor, as a most distressing *norther* was then raging, which no man less powerful could have faced and survived even for a few hours; that this service occupied the colonel about *ten hours*, during which the storm of wind and sand continued with unabated violence; and on his return to me, more dead than alive, and for more than forty hours, we had great difficulty in enabling him to stand or walk. My fears for his entire recovery I then expressed to all about me; and in my continued intimacy with him, he often assured me that his constitution was undermined by the extraordinary sufferings of that day's work.

WINFIELD SCOTT.

(Stephen A. Douglas to J. J. Crittenden.)

March 14, 1858.

MY DEAR SIR,—I have read your great and patriotic speech with delight and admiration. I return you my grateful acknowledgments, as an American citizen, for this noble effort. It is the great speech of your life, and will live, and be read, and admired, when we have all passed away. Please let me know when it is to be printed in pamphlet form. I wish to subscribe for 25,000 copies, and will ask you to accept from me 5000 copies as a slight memento of my appreciation of it.

Very truly your friend,

Hon. J. J. CRITTENDEN.

S. A. DOUGLAS.

In the spring of 1858 the question of slavery and *anti-slavery* seemed to absorb the public mind to the exclusion of all other political questions. Mr. Crittenden, according to the denominations usually employed by parties, was a Southern man. He had been accustomed from childhood to that frame of society of which slavery forms a part. He declared that, so far as regarded the defense of the rights of the South, he was as prompt and ready to defend them as any Southerner, but in the same spirit in which he would defend any invasion of its rights, he would concede to others their rights, and would assert and maintain them. Those who valued their own rights always respected the rights of others.

The President had sent to the Senate an instrument *called* the Constitution of the People of the Territory of Kansas. He did not believe it came with any such sanction. He believed that the Missouri compromise line, fixed in 1820, was about that territorial line north of which slavery could not be profitably employed. The compromise was a bond and assurance of

peace, and should not have been disturbed. He would vote for the admission of Kansas upon any terms that would give peace. He thought if we were through with this petty Kansas affair that a summer sea of boundless expanse lay before us, and nothing but repose. There was no other Territory to dispute about in the lifetime of any man present. Some believed that the Kansas-Nebraska Act gave all the authority that is usually conferred by what is called "An Enabling Act" on the people of a Territory. He never considered it so. *All* sovereignties of all sorts vanished before the sovereignty of the people of the United States. The Territories have no government except what we give. Mr. Crittenden wanted the South to be always right. The question of slavery was not involved,—no one entertained the hope that Kansas could ever be a slave State. If made so, it would continue but for a feverish moment, filled up with strife and angry controversy. Why should the South be in a hurry to have two more senators in this body, such as they would now get from Kansas? He did not question the purity of the motives of Southern men; they followed their honest convictions, as he endeavored to do. He followed no party shackles. He was a senator of old Kentucky,—brave and noble old Commonwealth. His ambition was to act in her spirit and by her inspiration. Mr. Crittenden concluded this great speech by saying, "I am a true son of the South; may prosperity fill all her borders, and sunshine rest upon her head,—but for all this I do not love the Union less. I claim this whole country as my country. For the preservation of that Union, which makes it so, I am ready to devote my life. I endeavor humbly to do my duty to the South and to the whole country."

A few days after this, in reply to Senator Green, of Missouri, Mr. Crittenden rose and said: "The senator states that I base my charge of fraud against the Lecompton Constitution on the simple testimony of two gentlemen. I deny this. I relied upon facts which are proved. That is my guide, so help me God,—and it shall be my guide forever. I thank my God that He has given me some faculty to distinguish between *right* and *wrong*, and I thank Him, moreover (for the gift would have been worthless if He had not gone further), that with that faculty He has given me the little courage necessary to dare to speak my conviction.

I have spoken *the truth*, and I fear nothing in following the path appointed to all men to pursue."

(Washington Hunt to J. J. Crittenden.)

ST. NICHOLAS HOTEL,  
NEW YORK, March 18, 1858.

MY DEAR SIR,—I will not allow the day to pass without thanking you for your noble effort of yesterday. It rejoices my heart to hear your voice—always eloquent and emphatic on the side of truth and right—rebuking the attempt of the executive to force a government upon an unwilling people. You can have no conception of the importance of your position. It gives assurance to the whole country that patriotism and love of justice do not belong to North or South, but that both sections have men true to the Union and to the principle of constitutional liberty.

Your bright example is the theme of congratulation and rejoicing among all the conservative men whom I have met to-day. We begin to see daylight ahead. The time is at hand, I think, when the old Whig and conservative men of every name can unite in a great and successful effort to reform the government on true national principles. I write this in much haste, and will only add that you are sure of the gratitude of just and reasonable men everywhere.

Believe me, with great respect, yours truly,  
WASHINGTON HUNT.

The Hon. JOHN J. CRITTENDEN.

(John O. Sargent to J. J. Crittenden.)

NEW YORK, WALL STREET, March 20, 1858.

MY DEAR SIR,—Allow me to congratulate you on your great speech, which I think will carry conviction to all just men of the South and seal the death-warrant of all Northern politicians who were willing to connive at the frauds you have so conclusively exposed.

I beg you will send me a copy of it when you get it into pamphlet form, and tell me where I can subscribe for copies for distribution among some of my "erring friends" in this quarter.

If there are any Northern men who can afford to be better Southern men on this question than yourself, Mr. Bell, and R. J. Walker, I should like to know on what grounds.

Believe me to be very truly your friend and servant,  
JOHN O. SARGENT.

Hon. JOHN J. CRITTENDEN.

(B. Silliman to J. J. Crittenden.)

NEW HAVEN, April 12, 1858.

Hon. SENATOR CRITTENDEN.

DEAR SIR,—Although I am personally unknown to you, *you* have been long known *to me* by your dignified and truly patriotic course in your career as a public man. I have no claim to occupy your valuable time; but I yield to a strong impulse, both of my mind and my better feelings, when I say that your late effort in the Senate, both in your speech and in the amending bill which you have introduced, entitle you to the lasting gratitude of your country. Great, and noble, and patriotic efforts have been made by other senators; but you and Senator Bell, from age, experience, and undeviating patriotism, occupy a position of influence almost, or quite, peculiar to yourselves. Your *Southern* affinities, too, put forth a conciliating influence, and the candor, dignity, and rectitude so apparent in your remarks have, I presume, given you the prevailing influence which will heal this terrible dissension, provided there is no yielding by those who have hitherto stood firm. I trust that you and your associates who feel *right* on the great questions of the day will, by some influence, *strengthen* the *resolution* of any who may be in danger of proving recreant, and that in a few days our dishonored country may be relieved from the disgrace which has been so long resting upon it. You will, I trust, excuse these honest effusions, and accept the assurance of the high respect and admiration with which I am, dear sir, very truly, your most obedient servant,

B. SILLIMAN.

J. J. CRITTENDEN.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

SENATE-CHAMBER, April 27, 1858.

MY DEAR DAUGHTER,—In your last letter you express some doubt whether to send your son Crittenden home or await further intelligence from me in respect to the commission in the army, which you desired for him. I advise you to keep him with you till you hear from me. Since I wrote to you, my hopes that both Crittenden and Mrs. Livingston's son might obtain commissions have greatly diminished, *especially* as it respects Crittenden. The increase of the army recommended by the President has been rejected by Congress. To that extent, therefore, the power of appointment has been cut off, and in the old army the opportunities of appointment are altogether casual and the applicants numerous. Worse than all, I find the *good words* of secretaries *not worth much*; and still further, I have

dealt the administration some hard blows of late, which cannot have gained me much favor in their sight. Do not send Crittenden home till you have better grounds than anything I can now give you. We have lately been engaged in important and great debates, in which I may say I have been prominent; that is, I have received unbounded applause from the *people*, and abuse, without measure, from portions of the country. I may well endure the latter for the sake of the applause so much greater in amount and quality. I have done right, and am satisfied with my reward. My name appears in sundry newspapers as their candidate for the Presidency in 1860. Don't take any *vain* notions into your head for all this. It does not affect me. It is a flattering sort of enthusiasm, which may last as long as a morning's mist. No ambition for the Presidency guides or troubles me.

Respects to Mrs. Livingston. I write you in the midst of a debate in the Senate in a hurried manner. May Heaven protect you and your dear children, my daughter, and bring you safely back to us.

Mrs. A. M. COLEMAN.

Your father,  
J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

WASHINGTON, May 14, 1858.

MY DEAR ORLANDO,—I know nothing of the papers that accompany this letter, which I shall put into the inclosed packet that was just now handed to me, with a request that I would send it to you. A few days ago I was introduced on the street to a Mr. Robert Carter, who presently made it known to me that he desired or had been engaged to write my biography, and he requested that I would furnish materials for it. I told him that various applications had been made to me, and that I had always declined having anything to do with that subject, and that I must answer him as I had answered others: that there was nothing in my life for history or biography; but I happened to add that I had sometimes referred such applicants to my friend Orlando Brown, etc. This I said with a smile and to get rid of the subject; but Mr. Carter caught at the suggestion, and the packet that will contain this is the result. Now, you have all I know about the matter, and I care not a fig what you may determine about it; nor have I the least ambition to be jammed up in the "New American Cyclopædia," or anywhere else, with a crowd of unheard-of notables. In whatever you may do or say in this matter, it must be done or said upon your own discretion and responsibility.

I have been the unconscious author of a great commotion here; but it has in a good degree subsided, and we are getting on quite smoothly and hastening to the end of our session. I am getting quite impatient for the adjournment, for I wish for repose among my real friends at home.

The papers that abuse me I do not read, and I am inclined to adopt Shakspeare's philosophy and say of the man that is abused, "Let him not know it and he is not abused at all." On the other hand, I have been *thanked*, and *praised*, and *published* to the skies; and I find, Orlando, that a little greatness is a great penalty. I have been worried almost to death with visits and letters of congratulation. I am sick of *greatness*.

I endeavored simply to do my honest duty, and I think I have done it; and it has been my greatest gratification that my Kentucky friends have approved my conduct. I received from Mason a letter that was most grateful to my feelings. I would sooner "be a dog and bay the moon" than to sit here and disgrace old Kentucky by bowing my head at the bidding of this administration on the dictation of every sectional party, though it may call itself *Southern*. My purpose is to represent old Kentucky, her independence, her honesty, and her honor. I hope I shall always have conscience and courage enough to perform that duty. When I touch on this subject, I hardly know when to stop.

Give my kindest regards to your wife and all the family, and believe me to be always your friend,

J. J. CRITTENDEN.

To ORLANDO BROWN, Esq.

(J. J. Crittenden to Hon. R. C. Winthrop.)

WASHINGTON CITY, June 16, 1858.

MY DEAR SIR,—The invitation to attend your Boston celebration of the Fourth of July next, of which you advised me, has been since received. I did, indeed, consider it a high compliment, and will long remember it with pride. To visit Boston on such occasions would be like entering the "*Holy Places*" of the Revolution, and would have a solemn charm for me! But I cannot be there. I am obliged to go home as soon as I can get away from Washington, and to that effect I have just written to the Major, who did me the honor to inclose the invitation and kindly urged my acceptance of it. None of your guests will enjoy the celebration more than I should have done, and no one, I think, can more regret his inability to attend. The hope of having the pleasure of meeting you will always be a great inducement to me to visit Boston.

You will not, it seems, come to Washington to see the many good and admiring friends you could always find here, and among those I ask leave to be considered one of the warmest friends and most sincere admirers. Please present my highest regards to your wife, who, I will hope, has not forgotten me.

I am truly yours, etc.,

Hon. ROBERT C. WINTHROP.

J. J. CRITTENDEN.

## CHAPTER IX.

1858.

Public Reception in Cincinnati and Covington—Addresses and Replies—Reception at Frankfort, Kentucky—Crittenden to Thomas Clay—A. Lincoln to Crittenden—Crittenden's Reply—In Senate, Bill for Relief of Jane Turnbull.

**M**R. CRITTENDEN'S course throughout the session in 1858, and, above all other questions, his course with regard to the Kansas Lecompton Constitution, met with enthusiastic approval throughout the West. His journey from Washington to Kentucky was an ovation. I have obtained the following account of his reception at Cincinnati and Covington:

[From the Cincinnati Daily Commercial, June 21, 1858.]

Hon. John J. Crittenden arrived in this city Saturday, at 12:22 o'clock P.M., with his lady, *via* the Little Miami Railroad, *en route* for Kentucky. The Reception Committee appointed by the citizens of Newport, Covington, and Cincinnati, accompanied by a throng of people, met him at the depot with Menter's band, and greeted him with deafening cheers and national airs. He was escorted from the cars by our esteemed fellow-citizen, William Greene, Esq., to an open coach drawn by two spirited gray horses. Thomas D. Carneal and Mr. Greene occupied seats with him. A procession was then formed, under command of Mr. Gassaway Brashears, Grand Marshal of the day, and marched down Front Street to the junction of Columbia, thence down Broadway to the Spencer House. Along the line of march large numbers of people assembled to greet the distinguished guest of the city, and several foundries and other establishments were decorated with flowing streamers and waving flags.

At the Spencer House several thousand persons had assembled to greet the senator and to participate in the ceremonies of reception. The carriage containing Mr. Crittenden drew up in front of a platform, decorated with the national ensign, before the hotel, when Hon. Thomas Corwin, after first giving his old associate and friend a warm personal welcome, mounted

the stand, and welcomed him publicly to the hospitalities of the citizens of Cincinnati in an eloquent but brief address.

#### THE WELCOME SPEECH.

Mr. Corwin said: "Mr. Crittenden, the very pleasing duty, sir, of welcoming you to the city of Cincinnati has been devolved upon me by my fellow-citizens; and, sir, it may be as well for me at the outset to make known to you—as, no doubt, it will prove agreeable to you—that this demonstration is not the movement of any political party. I am not the instrument of any cabal, not the organ of any political party, but the representative of my fellow-citizens of Cincinnati, irrespective of all partisan affiliations, who desire me, in their name, to welcome the statesman who has proved true to the Constitution and the Union.

"We welcome you heartily, sir, to our city. And besides, sir, there are thousands of us here who claim you as a personal friend, and we have assembled because we love the man John J. Crittenden. [Great applause.]

"You will not be deceived, sir, by appearances. You are now in sight of—within five minutes' walk—of your old Kentucky home. But, sir, you are as much at home here as if you were seated within your own homestead. The man who deserves well of his country is at home here and everywhere in this Union, in the love of his people, to whose hearts he is ever welcome; and I assure you, sir, there will be prayers offered in this community that it may please God to give you length of days to be, what you have been, a benefactor to the country you have so long and so faithfully served. Again, sir, in the name of the people of the city of Cincinnati, I welcome you."

When Mr. Corwin concluded, an enthusiastic youth sprang to the curbstone, directly in front of Mr. Crittenden, and giving his hat a desperate swing, sung out, in a half-frenzied tone, "Three cheers for the American eagle!" The cheers were very audibly given. In fact, they were wellnigh ear-splitting.

Mr. Crittenden, who stood in the carriage during the delivery of the welcome address, was visibly agitated. His noble features seemed working with intense feeling; his eyes sparkled vividly, and his lips quivered with irrepressible emotion. He is a much more youthful person than we had imagined. He is about seventy years of age, but does not look it. His form is erect and spare, well formed and vigorous; his dark-gray eyes gleam vividly beneath heavy gray eyebrows, and are canopied by long

lashes; his nose is aquiline; his mouth, and all his features, large; lips, firmly set; chin, square; forehead, broad, high, and massive; head, long, splendidly developed, and covered with gray, but not white, hair; and his complexion is dark, not *quite* so dark as that of the distinguished gentleman to whom he extended his hand with generous vigor and greeted in loyal fashion, "How are you, Tom, my old friend? I *am* glad to see you; *are* you well?" His height is about five feet ten inches.

#### MR. CRITTENDEN'S RESPONSE.

Mr. Crittenden momentarily surveyed the crowd, and with deep earnestness said:

"Mr. Corwin, my old and respected friend, I had not expected this cordial and unexpected reception until last evening. I had not anticipated anything but the hospitable welcome that is always extended to any stranger arriving in your beautiful city; and I must confess that after being so warmly greeted, and honored by so many of my fellow-citizens, I feel almost ashamed that I have done so little to deserve it. I feel how little I deserve it. I am the more thankful to you all because of your appreciation of my services. I thank you, fellow-citizens, from the fullness of my heart.

"I have always been devoted to the Union. It was born in me, and I could not help it. When I was last, and for the sixth time, elected to the Senate by my honored old State of Kentucky, I determined to be more of a patriot and less of a politician. I said to myself, 'You have now run the heated career of a politician; you have loved the strife; you have sought, if you have not delighted in, the combat; but now you have arrived at an age when you should desert all these things, and devote yourself to your country. What may have been excusable in youth is not so now; you have arrived at that age when you should lay aside party strife. Be less a partisan, and more of a patriot.' With this feeling I went to finish my public services. If I have failed in any respect, it must be attributed to the unconquered frailties of poor human nature. [Laughter and cheers.] I divested myself as far as possible of partisan feelings, and earnestly endeavored to do my duty to my country. I was actuated by just motives, and did not ask for popular opinion,—sought to do what was just and right.

"Though not now in my native State, I am among my countrymen, and at home. I claim you as my countrymen. This whole vast confederation, I feel, is not too great for me to comprehend in my affections. I feel that wherever I go all the people are my fellow-countrymen. This is my country, my native land,—all, all, and these are my brethren, who have place in my

heart. Wherever, within these mighty bounds, I set my foot, I can proudly claim this my own, my native land.

"But I have done nothing to merit all this honor you put upon me,—nothing but my plain duty like a plain man. If, in the zeal of partisan spirit, I have ever done aught to the injury of my country, I pray God to forgive me; but if I have so done, I can say justly I did so erring in honest convictions. I thank God, I can now divest myself of partisan spirit. I speak to no party. I have none to influence. I am not one of that sort of political speculators, who, forgetting the present, tantalize themselves by looking into the distant future to discover pregnant evils, but I do the duties that are before me, confident that what is done right now cannot result in evil hereafter.

"I cannot enter into any discussion before this meeting upon political themes; this is not the time and place, and it is not expected. In the late struggles in Congress I had but one duty to perform. I did not know, I did not ask, what might be the judgment of my fellow-men, but I knew what was right, and did not choose another course. I thank you, therefore, fellow-citizens, that my course meets your approbation. It is a tribute which I shall carry home with me with unspeakable gratitude."

Mr. Crittenden then proceeded to express the conviction that the discordant elements which so lately warred throughout the country are subsiding into peace, and that the great commonwealth is again moving forward in a career of prosperity. He thought there is but one imperishable foundation for government to stand upon,—truth and justice. Trickery and political dishonesty may serve their inventors awhile, but their consequences eventually will be like burnt grass,—will turn to ashes and be nothing. With *truth* and justice for guides, the future destiny of this Union must be bright and glorious.

He then discussed the extravagance of the present administration briefly, and intimated that the question of protection to American labor and American manufacturing interests must again loom up into importance. With extravagant government, the result must inevitably be enormous public debt, and a final resort to direct taxation.

This part of Mr. Crittenden's speech was genuine, old-fashioned Whig-protection-tariff doctrine. In conclusion, he again thanked the people with full-breasted emotion, and was jammed through a dense crowd under charge of Mr. Corwin, and, by dint of much effort, finally found the gentlemen's parlor, where gentlemen, desirous of conspicuity in the shade of a great man, did their best to make Mr. Crittenden miscellaneously acquainted with a considerable number of individuals.

At half-past seven o'clock the procession of citizens, headed

by Marshal Brashears, escorted Mr. Crittenden from the Spencer House to the steamer Champion No. 3, at the foot of Walnut Street, where he was received by the committees of reception from Covington and Newport, and the agreeable responsibilities of our citizens then terminated.

#### THE CROSSING TO COVINGTON.

Several hundred persons boarded the Champion, which had been handsomely decorated by Captain Shinkle, and as the steamer put out from the shore the people of Covington and Newport commenced a booming fusillade with cannon on their respective shores, and crowds of people, of all ages, conditions, and sexes, assembled. The boat, gayly decorated with streamers, and crowded with men, presented a very handsome spectacle.

#### THE RECEPTION IN COVINGTON.

The people of Newport united with the Covingtonians in greeting their great senator. A torch-light procession was formed, and met the reception cortége at the Covington wharf. They had music, and banners, and demonstration transparencies. They rent the air with *vivas* when Mr. Crittenden stepped into the carriage, drawn by four superb grays decorated with waving plumes. The procession marched up Scott Street. A short distance up a streamer, stretched across the highway, bore the inscription,

“WELCOME TO YOUR OLD KENTUCKY HOME!”

Numerous houses on the line of march were decorated with flags and demonstrative emblems. Some dwellings were brilliantly illuminated,—*the post-office was not*. The Covington *Journal* office seemed a blaze of light; flambeaux flashed a lurid glare far distant; Roman candles spluttered, fizzed, and banged concussively; a streamer was stretched across the street bearing the inscription,

“HON. J. J. CRITTENDEN, THE INCORRUPTIBLE STATESMAN.”

The fine residence of P. S. Bush, Esq., opposite Madison Square, was illuminated with brilliant lights and handsome Kentucky women. A short distance above this house the street was spanned with another streamer, inscribed

“HON. J. J. CRITTENDEN,—TRIED, FAITHFUL, AND TRUE.”

Madison Square, the old Baptist college grounds, was filled with high-born dames and graceful damsels, spirited gentlemen and strong-armed artisans, a great variety of noisy boys, and a cavalcade of Cincinnati horsemen. The procession, under command of Marshal S. K. Hayes, was enthusiastically received

along the line of march, and when it entered Madison Square bonfires were kindled, and the honored senator was received with a welcome of cheers which echoed and re-echoed in the distant valleys of the "dark and bloody ground."

Silence having been restored, Judge W. B. Kinkead, of Covington, addressed Mr. Crittenden as follows :

#### JUDGE KINKEAD'S WELCOME ADDRESS.

"Mr. Crittenden, I have been selected as the organ of the people of Covington to greet you with a glad welcome as you arrive at the limits of the State of Kentucky, and to tender to you their cordial approbation and gratitude for your distinguished services as our senator during the eventful and trying session of Congress which has just terminated.

"Throughout that life, now not a short one, you have enjoyed uninterruptedly the confidence and affection of the people of Kentucky. You have been, I can truly say, her favorite son. Born at an early period of the Commonwealth in the beautiful county of Woodford, Kentucky has nourished and sustained you—has followed you throughout that long and arduous public life with a maternal pride and confidence which has known no faltering. She felt and saw in you the truest representative of the genius and spirit of her people; that the proud and honorable name of a Kentuckian was indicated and illustrated in your life and character; and she here and now rejoices that you have so borne yourself through many a conflict that your unsullied escutcheon still beams and brightens with a yet purer and brighter lustre. [Applause.]

"Our Kentucky hearts swell with pride and exultation as we recur to that day when, standing before that august body, you plead the cause of *justice* and *popular rights* against fearful odds, combined and bent on perpetrating a fearful wrong. [Vehement cheering.] That you should be denounced by those whom you have so opposed was to have been expected. But be of good cheer; the wise and the good will not fail to appreciate and reward with their approbation virtuous and patriotic actions. Their blessings and benedictions will be poured upon your head. As the organ of this vast assemblage, I now stand here to tender to you their gratitude for such services, and to give you a hearty welcome home to your own Kentucky." [Applause.]

#### MR. CRITTENDEN'S REPLY.

Mr. Crittenden said: "Mr. Kinkead and fellow-citizens, I ought to be, I am proud, I am thankful to you for this generous reception. From you and your fathers, people of Kentucky, I have received all the honors in their power to bestow

upon me. I love my old State of Kentucky; I cannot help it; and if there is a heart in this assemblage that beats a truer pulsation for her welfare, I should like to learn a lesson from it. I feel gratified that my efforts to serve my countrymen have met with your approval. I have endeavored to discharge my duties like a Kentuckian. [Cheers.] When the late great struggle took place in Congress, I did not know what were the sentiments of my people; but I knew my duty, and there was but one course for me to pursue. My heart swelled with gratitude when I learned that you approved me, and (with great emphasis) I had rather this right hand should be chopped off on this block than to have violated my plain duty.

"I could have chosen another course. There was everything to protect me in it; but I saw the truth before me, and, as old Kentucky's son, I followed it. I am gratified beyond all expression that I have your approval. I never believed that Kentucky would subscribe her name to fraud and injustice, and I could not sanction it with mine. I could not indulge in circumlocution to save myself and lose my country. I could have protected myself, but I sought the truth and the welfare of my country. But, fellow-citizens, I did not intend to make a political speech; this is not the time or place, and I am not prepared for it. I need rest.

"But I am once more in my native land, thank God [cheers], —my dear old Kentucky! [Great applause.] But I was so treated to-day in Cincinnati as almost to make me forget that I was not in my own home. [A voice oddly cried out, "Remember Harry Clay!"] Remember Harry Clay," said Mr. Crittenden, with most eloquent sadness. "Oh, a name never, *never* to be forgotten by a Kentuckian! A name that grows greener and fresher and more glorious as time heaps the turf upon his grave!"

"But, fellow-citizens, I have represented you as senator from Kentucky. I have endeavored to serve you faithfully; I could not help it. Love for my honored old State was born in me. What little of life that remains for me, I hope shall continue to be devoted to the service of my countrymen. I will serve them first and try to please them afterwards." [Cheers.]

Mr. Crittenden then turned his attention to general politics. He alluded to the late stormy session of Congress in its general relations to domestic and foreign politics, and expressed a hope and conviction that the lately brooding storms which threatened our prosperity are passing away. "There had been rumors of war; but there remains no danger of any with Great Britain. We have only to cultivate peace, and all those disturbing and perplexing questions of troubrous portent will

vanish into nothingness." He congratulated the people that the fury of partisan strife is subsiding. He thought there could not be much of a contest preparing for the future when the people shall again choose a President. "*Not much of a contest, I think,*" said he, with a prodigious grin, which brought down the crowd. "An administration that begins by spending \$17,000,000 of surplus, spends \$20,000,000 more of treasury notes in addition at the start, borrows \$20,000,000 more during its first year, and foots up at the expiration of the first year an expenditure of \$80,000,000, with estimates of \$100,000,000 for the next year, can't stand long in the favor of the people." He would frankly admit that Mr. Buchanan came to the Presidency at an unlucky time, and he had had an unlucky time of it. "The country had suffered great financial distress. Commerce was depressed, and it was somewhat owing to these calamities that the deficiency in the national exchequer exists. But still the administration is chargeable with extravagance; and the inevitable consequence is a great national debt. When it is remembered that the administration of the younger Adams was denounced as extravagant when the entire expenditure for *four* years was only \$54,000,000, and that of Jackson, whose bill of costs for a similar period was \$100,000,000, what will be the conclusion of the American people when they consider \$100,000,000 expended by the Buchanan administration in a single year? It is enough to make the people study seriously."

Mr. Crittenden followed this train of thought in logical sequence until he fell upon the tariff question, and maintained the necessity of returning to the American system, or submit to the evils of direct taxation which must follow the existing current of national politics. He put many strong arguments in statistical form; but our readers are generally familiar with the arguments of the protectionists upon this question. His remarks indicated a future political movement. During his speech, however, he made a fine appeal in behalf of the laboring classes, showing that the consequences of Democratic free-trade principles tended directly to reduce them and the foreign-born citizen who came here to escape European oppression to the pauper condition of the laboring classes of Europe.

"Would you have all the nobility of a freeman's heart—all the manhood in his existence—worked down into an animal? If you would have manufactures and mechanic arts flourish in your midst, put your taxes upon foreign goods, so as to afford a reasonable protection to labor in your own country. Should we pursue foreigners with the same pains and afflictions from which they have once escaped? By no means! But let us, while they are reasonably encouraged, throw around our own

people such safeguards and protection as shall prevent the labor of the country from being brought down to the standard of Europe. Let us first protect our own countrymen. [Loud applause.] But you, my friends, have given me a welcome from warm hearts, for which I thank you. It is a tribute from old Kentucky that I would not exchange for all the revenue ever collected by a tariff. It has filled the measure of gratitude to overflowing. I care not for the smiles or frowns of the President. I shall not seek to make him smile; I do not regard his frowns; I can give frown for frown. You, fellow-citizens, have filled my heart with gratitude. Kentucky has been my mother. Her sons are my friends—my brothers. Farewell for to-night. God bless you and prosper you, and our noble old Kentucky."

Shouts and cheers followed this speech, and hundreds crowded about the stand to take Mr. Crittenden by the hand, and a national salute was being fired from another part of the grounds.

#### RECEPTION OF MR. CRITTENDEN AT FRANKFORT, JUNE 29, 1858.

Contrary to the public expectation, Mr. Crittenden arrived in this city on Tuesday evening last, instead of the afternoon, as had been arranged by the committee. The people were disappointed in their wish to meet him at the depot, but they were determined to express a heartfelt welcome to Kentucky, and their approbation of his course in the Senate of the United States. A committee of our most influential citizens, accompanied by Menter's band, which had been brought from Cincinnati for the purpose, marched to his residence on Tuesday evening, and escorted him to the State House, where a large crowd was assembled to meet him. At the steps of the capitol he was received by Governor Morehead in an elegant and brief address. Governor Morehead had been selected by the citizens of Frankfort to express their increased confidence and esteem for the senator who had so ably vindicated the conservative spirit which has ever characterized old Kentucky and her statesmen; and he did not utter a word which did not find a response in the hearts of all present.

We cannot pretend to give the words, or describe the manner, of Mr. Crittenden's reply to this welcome. The manner was the same which has so long made him so great a favorite as an orator in Kentucky, and the words were eminently suited to the occasion. Throughout the speech he manifested the deepest feeling. When he first stood up, we saw his eye flash with the electric fire which lends so much power to his words, and his entire speech exhibited the same boldness and pride which have always marked him. He did not come before the people

as a criminal to plead for mercy for a great crime committed against his country or the State which he represents. Having conscientiously discharged his duty to his whole country, and having served the people to the best of his ability, he stood among his fellow-citizens with the proud consciousness in his heart that he had done his best to deserve the unexpected and spontaneous welcome extended to him. He had not acted as a Northern or a Southern man, but he believed his course was that which a senator of the United States ought to have taken. He had acted as a Kentuckian—despising fraud and resisting corruption—should ever act. He had not been sent by Kentuckians to be the slave of any section, or the tool of any administration. He had been sent to the Senate to consult and act for the best interests of the whole country, and he had striven to do so. He had not been taught by his constituents that he must truckle to any majority of men from other States. No, they had taught him to follow the path of honor and probity; and he had done so. He had learned that it was the part of a true statesman to *serve* the people *first*, and if he could but *please* them *afterwards*, so much the better; he was resolved to serve them whether they were pleased or not.

(J. J. Crittenden to Thomas H. Clay.)

FRANKFORT, July 1, 1858.

MY DEAR SIR,—Though I may possibly have the pleasure of seeing you before *this* can be received, as I expect to pass through Lexington to-morrow on my way to the Estill Springs, yet I have a particular gratification in thus recording my acknowledgments to you for your letter of the 21st of the last month. It was the more grateful to me, and the more generous on your part, as it seemed to be interposed as a *shield* against the attacks of a paper in your city, attempting to excite hostility against me on your father's account, as though I had been his enemy. I will avail myself of the first opportunity to explain to you the relations between your father and myself, and *especially* that brief and only passage in our lives in which a shadow was cast upon our long-continued friendship; a shadow removed before his death by the most affectionate explanations, *mutually* and cordially made and accepted. When he descended to the grave, he carried with him as much of my heart as of any human heart outside of his own family. I say this to you in all sincerity, not for the purpose of *propitiation*, but that you may *know the truth*, and may know that you have done no wrong to your father's great name and sacred memory by any of your *acts* of respect or kindness to me.

I am truly your friend,

THOMAS H. CLAY, Esq.

VOL. II.—II

J. J. CRITTENDEN.

(A. Lincoln to J. J. Crittenden.)

SPRINGFIELD, July 7, 1858.

To the Honorable J. J. CRITTENDEN.

DEAR SIR,—I beg you will pardon me for the liberty I take in addressing you upon only so limited an acquaintance, and that acquaintance so long past. I am prompted to do so by a story being whispered about here that you are anxious for the re-election of Mr. Douglas to the United States Senate, and also of Harris, of our district, to the House of Representatives, and that you are pledged to write letters to that effect to your friends here in Illinois, if requested. I do not believe the story, but still it gives me some uneasiness. If such was your inclination, I do not believe you would so express yourself. It is not in character with you as I have always estimated you.

You have no warmer friends than here in Illinois, and I assure you nine-tenths—I believe ninety-nine-hundredths of them—would be mortified exceedingly by anything of the sort from you. When I tell you this, make such allowance as you think just for my position, which, I doubt not, you understand. Nor am I fishing for a letter on the other side. Even if such could be had, my judgment is that you would better be *hands off!*

Please drop me a line; and if your purposes are as I hope they are not, please let me know. The confirmation would pain me much, but I should still continue your friend and admirer.

Your obedient servant,

A. LINCOLN.

P.S.—I purposely fold this sheet within itself instead of an envelope.

(J. J. Crittenden to A. Lincoln.)

FRANKFORT, July 29, 1858.

Hon. MR. LINCOLN.

DEAR SIR,—Your letter of the 7th must have been delayed on the way; it was not received until a few days ago. The acquaintance to which you allude as having long since existed between us is still freshly remembered by me, and the favorable sentiments of personal regard and respect with which it impressed me I have ever since retained.

You are entitled to be frank with me, and you will be best pleased, I think, with frankness on my part, and in that spirit I will endeavor to reply to your letter.

Mr. Douglas and myself have always belonged to different parties, opposed in politics to each other; but it so happened that at the last session of Congress we concurred and acted

together in opposing the enforcement of the Lecompton Constitution upon the people of Kansas. I regarded that measure as a gross violation of principle and good faith fraught with danger to the country. Mr. Douglas's opposition was highly gratifying to me; the position taken by him was full of sacrifice and full of hazard, yet he took it and defended it *like a man!* In this he had my warm approbation and sympathy; and when it was understood that for the very course of conduct in which I had concurred and participated, the angry frown of the administration and its party was to be employed to defeat his re-election to the Senate, I could not but wish for his success and triumph over such persecution. I thought his re-election was necessary as a rebuke to the administration and a vindication of the great cause of popular rights and public justice. In this statement you will find the origin and state of my present feelings in regard to Mr. Douglas.

They arose naturally and spontaneously in my mind, and were entirely unconnected with party calculations, and most certainly did not include a single particle of personal unkindness or opposition to you.

These sentiments in regard to Mr. Douglas and his conduct on the occasion alluded to were frequently, openly, and ardently avowed by me in many conversations at Washington and elsewhere. I must confess that I still entertain them, and whatever I do must correspond with them. But it has so happened that I have, in fact, done very little in the matter. Since the adjournment of Congress I have not written a single letter to any one in Illinois. During its session I do not remember to have written more than three or four, and they, in every instance, I believe, were written in reply to letters received. In some of these letters, possibly in all, Mr. Douglas was alluded to and recommended. This is all that I have done. But I have now on my table several letters from citizens of your State on this subject, to which I could not forbear replying without subjecting myself to imputations of insincerity or timidity. One of these letters, for instance, requests me to say whether I did not, at Washington, have a certain conversation with the writer concerning Mr. Douglas, etc. These letters I must answer in a proper manner. As to the future, sir, I cannot undertake to promise or to impose any restrictions on my conduct; that must be regulated under whatever circumstances may exist by my sense of propriety and duty. I can only say to you that I have no disposition for officious intermeddling, and that I should be extremely sorry to give offense or cause mortification to you or any of your Illinois friends. Whatever my future course may be, I trust that I will so act as to give no

great cause of offense to any candid and liberal friend, even though he may differ with me in opinion. I have thus explained to you my situation, and the cause and state of my feelings on this occasion, and now leave the subject to you, with every confidence in your justice and liberality.

What I have said in relation to Mr. Douglas, may be regarded as applying in all material respects to Mr. Harris, your present representative in Congress.

In the effort to make myself perfectly understood, I have made this letter long and tedious. Excuse it, and believe me to be very truly and respectfully yours, etc.,

J. J. CRITTENDEN.

ABRAHAM LINCOLN.

(A. Lincoln to J. J. Crittenden.)

SPRINGFIELD, Nov. 4, 1858.

Hon. J. J. CRITTENDEN.

MY DEAR SIR,—Yours of the 29th was taken from the office by my law-partner, and in the confusion consequent upon the recent election was handed to me only this moment. I am sorry the allusion made in the *Missouri Republican* to the private correspondence between yourself and me has given you any pain. It gave me scarcely a thought, perhaps for the reason that, being away from home, I did not see it till only two days before the election. It never occurred to me to cast any blame upon you. I have been told that the correspondence has been alluded to in the *Missouri Republican* several times; but I only saw one of the allusions made, in which it was stated, as I remember, that a gentleman of St. Louis had seen a copy of your letter to me. As I have given no copy nor ever shown the original, of course I inferred he had seen it in your hands; but it did not occur to me to blame you for showing what you had written yourself. It was not said that the gentleman had seen a copy or the original of *my letter to you*.

The emotions of defeat at the close of a struggle in which I felt more than a merely selfish interest, and to which defeat the use of your name contributed largely, are fresh upon me; but even in this mood I cannot for a moment suspect you of anything dishonorable.

Your obedient servant,

A. LINCOLN.

(J. J. Crittenden to T. Lyle Dickey.)

FRANKFORT, August 1, 1858.

MY DEAR SIR,—I received some days ago your letter of the 19th of last month, in which you state the substance of a conversation between us in relation to Judge Douglas, said to

have taken place in April last at the city of Washington. You ask if your statement is correct, and you ask my permission to speak of it privately and publicly, as occasion may prompt you. I remember the conversation to which you allude and the substance of it; it occurred at Washington during the last session of Congress, and most probably in April.

Your statement of that conversation corresponds substantially with my recollections of it. As you state in your letter, I did in that conversation speak of Senator Douglas in high and warm terms. I said that the people of Illinois little knew how much they really owed him; that he had had the courage and patriotism to take an elevated, just, and independent position on the Lecompton question at the sacrifice of interesting social relations, as well as old party ties, and in defiance of the power and patronage of an angry administration, supported by a dominant party disbursing a revenue of some eighty millions a year; that for this noble conduct he had been almost overwhelmed with denunciations; that the attacks made upon him in the debates of the Senate were frequent, personal, and fierce; that throughout the entire session he must have felt the consciousness that he was in daily danger of being so assailed in debate as to force him into altercations and quarrels that might in their consequences involve the loss of honor or of life. Notwithstanding all this he had kept his course firmly and steadily throughout the whole struggle—had borne himself gallantly. I thought there was a heroism in his course calling not only for approbation but applause.

In the above statement I have rather confined myself to those particulars of our conversation suggested by your letter than attempted to detail the whole of it; the above, however, contains the substance of what passed, and whatever else was said was in accordance with it. This conversation with you, sir, formed but a part of many others of a like character which I held on the same subject. I often expressed my high opinion of the conduct of Judge Douglas on the Lecompton question. I expressed it frequently, fully, and openly, and was careless who might hear or repeat it. Under these circumstances, I do not feel that it would become me to object, or that I have, indeed, any right to object, to your repeating our conversation when I have myself so frequently and so publicly declared the whole substance of it. I have thus answered your letter, as I felt myself bound to do.

I must add, however, that I do not wish to be an officious intermeddler in your elections, or even to appear to be so. I therefore hope and request that whenever you have occasion to speak on the subject of this letter, you will do me the justice to

explain and to acquit me of any such voluntary intermeddling, or of the presumption of seeking to obtrude myself or my sentiments upon the attention of the people of Illinois.

I am, sir, with great respect, yours,  
J. J. CRITTENDEN.

T. LYLE DICKEY.

(In Senate, December 23, 1858. Bill for the Relief of Jane Turnbull.)

Mr. Crittenden.—Mr. President, we are about entering upon the holidays, and I wish to do so with a good and cheerful spirit; to do a good deed beforehand, I move to take up the bill for the relief of Jane Turnbull. I ask that this bill may be passed. It requires the Secretary of the Interior to place the name of Jane Turnbull, widow of the late Colonel William Turnbull, of the army of the United States, on the pension-roll, at the rate of fifty dollars per month during her natural life. It is necessary that I should make a brief statement of the case as it appears on file. William Turnbull entered the army in 1819; he died in 1857. Never during that whole period of his career in the army did Colonel Turnbull ask for leave of absence, except on account of sickness or inability to perform his duties. Belonging to the most scientific department of the army,—the topographical engineers,—he served everywhere; he served in Mexico; was twice brevetted for services there; he died of rheumatism of the heart, induced by exposure there. Though a man of remarkable strength, very athletic, and of fine constitution, it was his fate to suffer exceedingly from exposure to the climate while serving in Mexico. In talking to General Scott the first day I saw him after the death of Colonel Turnbull, he told me, with that passionate sort of grief with which he always seemed to regard the death of this gentleman, “I killed him, sir!” “How was that, general?” “At the siege of Vera Cruz, a terrible norther blowing upon us the whole time, I sent him out to service. All day he was exposed to a storm of cold wind from the north and to clouds of sand; he got back to my quarters at night, after having served the whole day, unable to get off his horse. All that could be done for him *was done*; but he never finally recovered from that shock.” It is certified by his physician that he was afterwards sent upon the northern frontier to superintend some works of the government. This aided the shock his constitution had received in Mexico; he came back time after time with this rheumatism of the heart; he was at last recalled and sent South, and died at Wilmington, North Carolina. Colonel Turnbull died in his bed, *alone*, and has left a family for whom this provision is asked.

Surely, so far as the merits of the father can entitle the family to a compensation, his services for over thirty years—services of the most arduous character, exposing him in every climate, and particularly in our war with Mexico—ought to secure them this small allowance. This family are abundantly justified in appealing to the liberality of Congress. Such a family of children has hardly been left by any officer who has died in our service. He had a large family, and they are in utter want,—*all* his pay was necessary to support them during his life. To be in Colonel Turnbull's house, as I have been, and many other senators have been, and see the beautiful economy by which the expenses of a large family were brought within the compass of small means, was an affecting sight, even in his lifetime. He has left a wife, who well deserved such a husband, destitute, with nothing but a naked house.

A word more in explanation. There was no written report from the committee. I presume that the matter was not properly attended to by those who had it in charge for Mrs. Turnbull. A statement in writing was furnished by General Scott; he brought me the paper voluntarily, and then held the conversation I have reported in regard to Colonel Turnbull and the origin of the disease with which he died. This business commenced in the other House, and there the paper was lost. I gave General Scott notice, and requested the committee to summon him as a witness. I wanted to have him before them that they might examine him. General Scott was notified, and attended, but the committee did not meet on that day.

General Scott attributes the origin of Colonel Turnbull's death to his being frozen and exhausted at Vera Cruz in the manner I have stated. The service at the North afterwards, on the water's edge, and in that climate, was co-operative with the exposure occurring in Mexico. He died of disease contracted in the line of his duty. I think it is a plain case made out of a man dying from disease contracted in the public service.\*

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\* Speeches of this character, *not political*, but going to show Mr. Crittenden's kindness of heart, and the zeal and sensibility with which he served his friends, I have thought best to insert in his Life, and not to publish in the volume containing his speeches in the Senate and House of Representatives, which it is my wish to have published at some future time. I have also deemed it advisable to publish in this volume some of his speeches to popular assemblies.

## CHAPTER X.

— 1859-1860.

In Senate, January 4, 1859—Removal to the new Senate-chamber—Speech of Mr. Crittenden—Letters from Letcher—In Senate—Commodore Paulding—William Walker's Expedition to Nicaragua—In Senate—Brig General Armstrong—Letcher to Crittenden—Cuba—Crittenden to Mrs. Coleman—James F. Simmons to Crittenden—In Senate, 1860—Slavery Question—General Scott to Crittenden—Letters of Amos A. Laurence, General Scott, J. P. Kennedy, F. P. Blair—In Senate, 1860—Thaddeus Hyatt.

(In Senate, January 4, 1859. Removal to the new Senate-chamber.)

**M**R. CRITTENDEN.—Mr. President, I hope I may be indulged in a few words of parting from this chamber. This is to be the last day of our session here, and this place which has known us so long will know us no more as a Senate. The parting seems to me to be solemn, and full of eventful recollections.

Many associations, both pleasant and proud, bind us and our hearts to this place. We cannot but feel its influence,—I, perhaps, Mr. President, most deeply, as my lot has been to serve in this body more years than any member now present. We cannot leave this chamber without some feeling of sacred sadness,—it has been the scene of great events. Here questions of American constitutions and laws have been debated, questions of peace and war decided, questions of empire occupied the attention of great minds. This was the grand theatre upon which these things have been enacted. Surely this hall is consecrated!

Great men have been actors here. The illustrious dead who have in time past distinguished this body, rise naturally on this occasion to our view. I speak but of what I myself have seen, and but partially of that, when I say that within these walls I have seen men whose fame is not surpassed, and whose power and ability and patriotism are not surpassed, by any Grecian or Roman name. I have seen Clay and Webster, Calhoun and Benton, Leigh and Wright and Clayton (last though not least), mingling together in this body at one time, and uniting their counsels for the benefit of their country.

On this solemn occasion they seem, to our imaginations and sensibilities, to have left their impress on these walls, and this majestic dome seems almost to echo now with the voice of their eloquence. This hall is filled with the pure odor of their justly earned fame. There are others of whom I will not speak because they have not yet closed their career, not completed their patriotic services, but they will receive their reward hereafter. A host might be named,—their names are in no danger of being forgotten, nor their services unthought of or unhonored.

We leave behind us, sir, in going from this hall, these associations, these proud imaginations, so well calculated to prompt to a generous emulation; but we carry along with us to the new senate-chamber the pure spirit and the memory of these things. Let us carry with us all the inspiration which the example of our illustrious predecessors is calculated to give.

Wherever we sit we are the Senate of the United States of America; a great, powerful, conservative body in the government of this country; a body that will maintain, as I trust and believe,—under all circumstances and in all time to come,—the honor, the rights, and glory of this country. In leaving this chamber we will not leave behind us any sentiment of patriotism, any devotion to our common country, which the illustrious examples that have gone before us have left for our imitation. These, like our household gods, we will carry with us, and we, the representatives of the States of this mighty Union, will, I trust, be found always equal to the exigencies of any time of trial that may come upon our country. No matter under what sky we may sit, no matter what dome may cover us, the great patriotic spirit of the *Senate* will be there; and I have an abiding confidence that in the performance of its duty it will never fail!

But, sir, we cannot depart without casting many longing, lingering looks behind us. This has been the scene of the *great past*, the new chamber is to be the theatre of the future; and that future, I hope and believe, will not be dishonored by a comparison with what has gone before. The new chamber will have its illustrations of great services rendered by great men and pure patriots. This body, the great preservative element of the government, will discharge all its duties, taking care to preserve the union of the States which they represent, the source of all their honor, the fountain of that trust which they are here to execute,—the source of their country's greatness, happiness, and prosperity in the past and in time to come.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, January 20, 1859.

DEAR CRITTENDEN,—Thank you for your letter; was rejoiced to get it. From all you tell me, and from all I see and hear, political affairs are as unsettled and uncertain as can possibly be. Douglas will cling to the Democratic banner as long as a *shred* is *left*; his party may kick him, beat him, but as long as he has a hope of being taken up as a candidate for the Presidency he will humble himself *too low* to be respected by his party. When he attended that Slidell caucus, the other night, I lost confidence in him as a man of dignity, firmness, and proper self-respect. He seems willing to support Slidell's project to place thirty millions in the hands of the President, as a fund, I suppose, to bribe Spanish traitors to assist in the purchase of Cuba. His whole scheme to buy that island is simply ridiculous. Spain would rather see it sunk by an earthquake to the bottom of the ocean than allow it to pass into the hands of the United States. Now, just let me tell you, when that proposition comes up, then is your time to make a telling speech, to exhibit our financial distresses to the country and denounce the scheme "*high and dry*." I fear the Black Republicans won't have sense to see they can't elect a candidate of their party; they are acting just the part the Democrats wish; and if they persist, a Democrat will be our next President. The leaders of the Republican party are a set of fools. Yes, I mean to go to the Louisville convention the 22d of February, if I live. Our party are in bad spirits. Hope, after the convention, things will be more favorable. I had never thought of Bullock as a candidate for governor; it seems to me he would make as good a candidate as we could run. Carneal will be in W. in time to come home with you. *The Queen* gives me a first-rate "poor man's breakfast" every morning at nine o'clock, and wishes that you were present to help me eat it. I stand in need of good cheerful company, so come home as soon as possible.

Your friend,

J. J. CRITTENDEN.

R. P. LETCHER.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, January 26, 1859.

DEAR CRITTENDEN,—From all indications, I think we shall have a large convention on the 22d. I must say that our friends are too low in spirits and in hopes to make an efficient and vigorous campaign. Something must be *done* or *said* at that convention to infuse new life, and courage, and confidence in our party, or we are *lost*. Before the meeting, it is to be hoped, something will transpire at Washington which will aid us in making a good demonstration. The fuel to make the fire burn

bright must come from Washington. It appears to me that before three weeks you will have a volcano in the *Senate* or *House*, or *both*. *That* thirty million proposition is enough of itself to raise the devil. It is so ill timed, so ridiculous, that I don't see how it is possible it can be sustained by the party in power; yet, from all appearances, it will pass. The thirty millions is designed as *secret service* money, to be used by the President in the way of *bribery*, I suppose, and the whole world is made acquainted with the object. The rascals he expects to bribe are, many of them, in the confidence of the Spanish government. They will take his money and laugh at him *as a fool*. The great desire to acquire Cuba, and to throw before the country a new and exciting topic,—one which will override all others, and cover up the errors of this administration,—is the policy of the Democratic party. *I* am for Cuba if it can be obtained *honestly, fairly, and honorably*. There are two modes of getting it: one by purchase,—that is not possible; the other, by robbery,—whether it can be obtained in that way is a question. We shall have to whip Spain, England, and France to get it. No doubt we can whip the whole world, but it is worthy of some little consideration *how long* it would take us to do it, and how much money it would cost. These items require a little bit of ciphering. We are in debt now more than we can pay,—*where* is that thirty millions to come from? If the President means to rob Spain of Cuba, we ought to have as much sagacity as a common thief has, and do the job safely and gracefully. Let us wait till there is a rupture between France and England; this is not a good time to try the experiment. But enough of this. Douglas, I apprehend, will run himself out of breath trying to keep up with the Democratic party! They won't touch him; will hardly allow him to vote for their nominee; won't honor him so much as to let him *wash up the dishes*, and eat in the kitchen of Democracy. His policy is to prove to the Democratic party that he is a whole-souled Democrat and ought to be taken up for the Presidency; but he is playing the game *too low down*, and will lose the respect and sympathy of many of his followers; his going to that Slidell caucus was enough to damn him in the estimation of thousands of his own party. When *too late*, he will find himself compelled to take a bold stand, and to try to maintain it.

Carneal leaves this morning. *I am solitary and lone.* I won't abuse him. In fact, I have got him so completely *under cow* that I must say he has behaved like a gentleman these last three months. He is a *conquered rebel* as sure as you are born; it cost me a great deal of hard talk and quarreling to put him down, but he is meek, penitent, and humble; and I almost *shed*

tears to look at him. "The Queen" sent you this morning a noble chine in a box, with others sent by Bettie and Maria. You are the worst spoiled fellow in the world, at home and abroad. This morning "the Queen" had about a quart of rich cream, and said, "I wish I could send this cream to Mr. Crittenden." Said I, "I object to your sending *that* cream to Mr. Crittenden. I don't care about the *chine*, but there is not more cream there than I want myself."

Your true friend,

J. J. CRITTENDEN.

R. P. LETCHER.

In 1859 a lawless expedition was fitted out in the United States, under the command of Captain William Walker, intended to assail Nicaragua, a country with which we were at that time at peace. This expedition escaped from the United States—eluded a vessel stationed at the post of Nicaragua to prevent its landing. Walker established his camp, displaced the government of Nicaragua, and claimed dominion by right of conquest—claimed sovereignty by right of election. The President, having the power by law to prevent such expeditions, called the attention of Commodore Paulding and other naval officers to the state of the case, and bade them carry the law into effect. Commodore Paulding was lying with his ship in the harbor of San Juan, and William Walker was in sight of him, armed and prepared to make war upon a country with which we were at peace. What sort of warfare they would carry on had been clearly shown by the war in which they had been baffled. In a speech made in the Senate, Mr. Crittenden declared "that blood and ashes had marked their course," and upon blood and ashes the little, petty, miserable empire they presumed to set up was founded. Under these circumstances, Paulding landed within the limits of Walker's camp and arrested him. The President announced these facts to Congress, and declared "that Commodore Paulding had violated the neutrality of a foreign state, and had been guilty of *a grave error*." Mr. Crittenden said that in his humble judgment, which with diffidence he opposed to the President, there was no breach of neutrality on the part of Commodore Paulding. The law authorized him, and the President gave him power, to prevent the expedition. Commodore Paulding entered for the purpose of restoring the sovereignty of Nicaragua—entered the camp

claimed by Walker as his government "*de facto*" at that time. Besides, to enter a country with its permission was no violation of its neutrality. "*Volenti non fit injuria*" is the natural law, and this consent, like every other fact, may be presumed from circumstances and proved as satisfactorily as an express writing giving consent. Moreover, Nicaragua afterwards, in the most formal manner, thanked Commodore Paulding for what he did, and yet, said Mr. Crittenden, "here we stand declaring our gallant officer, who thus bravely did his duty, 'guilty of a grave error.' Sir, I want a correct judgment of this government to go out; I want it to have its future influence in all the great transactions of this nation; I want the right law laid down so that our officers may know their duty, and not be crippled and limited in their course of action. It is not proper that a mere opinion of the President, expressed when the case was but half before him, should be the rule of our naval officers all over the world. Now, a word as to Commodore Paulding: my personal acquaintance with him is slight. I speak but the sentiment of an American citizen in expressing my thanks to him for the bold and heroic manner in which he has performed his duty,—a duty that stands not only above all censure and imputation 'of *grave error*,' but which, in my opinion, entitles him to the thanks of all who regard the peace of the world and the proper execution of the laws of their country. Most cheerfully, most cordially, sir, do I tender him mine."

On the 4th of February, 1859, the subject of the destruction of the brig General Armstrong within the jurisdiction of Portugal, and the indemnity claimed by Captain Reid and her other officers, was the subject of discussion in the Senate. The brig was destroyed during our war with England in 1812, and Portugal was a neutral power. Mr. Fessenden, of Maine, whom Mr. Crittenden characterized as learned and cautious, asserted unqualifiedly that there was no law of nations making a neutral power within whose jurisdiction the property of one belligerent was destroyed by another *liable* for this destruction. Mr. Crittenden said he hesitated to place his opinion on any question of national or civil law in opposition to the opinion of a gentleman for whose legal and general abilities he could in truth and sincerity say he entertained the greatest respect; but he had never

been more astonished than on hearing this declaration made. Mr. Crittenden thought there was not one absolute ground upon which the claim could be defeated, and he was fortified in this opinion by the concurrent opinion of every statesman of the country from the time of the commission of the outrage by England. Mr. Madison, Mr. Monroe (a man greatly conversant with the laws of nations), and their cabinets of no ordinary ability, united in the opinion that Portugal was under obligation to indemnify. This matter had been brought to an end by negotiations; but Captain Reid had obtained nothing. The brig had been defended with the greatest gallantry; they resisted with a heroism that made the country thrill. The vessel was public to some extent, and private to some extent, but entitled in either case to protection and to claim for retribution for any wrong sustained. Mr. Fessenden declares the brig to have been a privateer, and says a *privateer* "is nothing but a legalized robber." "I deny," said Mr. Crittenden, "that a privateer is in any sense a legalized robber. *Privateers* are a part of the great national means of war—the great national defense."

At this point Mr. Seward interrupted Mr. Crittenden. "Allow me to suggest," said he, "that if we are ever to get a vote, it ought to be *now*. I am sure that I can say something in favor of this bill; but there is nothing I can say so effective as to ask its friends to *come to a vote*."

Mr. Crittenden.—"Mr. President, these are disagreeable interruptions. I am sure that the senator, Mr. Seward, knows that I feel kindly towards him; but I do not choose to be admonished in any such form; it is for me to determine *when* and *how long* I shall speak. I cannot submit in public to this sort of chastisement for what I may think proper to say! I was about to close, and, but for the gentleman's interruption, should not, perhaps, have occupied more time than he did in his unnecessary and *superfluous* suggestions. I hope the vote will be taken; it is not *now* or *ever* my temper to occupy the Senate with useless debate."\*

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\* Such extracts from speeches, where little flashes of temper and *personalities* arise, are always, I think, interesting; words spoken at such times are strong indications of character.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, February 9, 1859.

DEAR CRITTENDEN,—I wish you would make haste and come home. Your presence is absolutely necessary to the comfort of many of your best friends. Since you left, some of the leading aristocratic ladies, actuated, I suppose, by high principles of *economy*, have instituted a fashion which is by no means agreeable to me. They have formed an association called a *club*, and made their by-laws of the most rigid character. One of their miserable rules is to eat *once* a week, and then only to have *two dishes*, and *no more*. *Just think of it*,—eat once a week and have *but two dishes*! Who can live under that *stinted allowance*? I want this club to be broken up. The fact is, I have fallen off *twenty-five* or *thirty* pounds since this society was organized. The mere idea of one meal a week is enough of itself to starve a man to death. I have never joined the *club*, but from all I hear of the *two dishes*, not a *crumb* has been left so far. The members all look *lean* and *hungry*,—can scarcely walk. I took pity on two of them (Mrs. Cabel and Mrs. McKinley), and told "*the Queen*" for the Lord's sake to give them "*a poor man's breakfast*" (in a confidential way), which she did, and the way they ate was a caution! Don't be unhappy; *they sha'n't starve*; but the sooner you get home *the better*. I hope by this time you are tired of high life. Come home and recruit yourselves. Tell Mrs. Crittenden I am in correspondence with Josh Bell, and have a lively hope that he may yet be willing to run for governor.

Carneal will go from New Orleans to Washington, and return home with you. I miss the *old tyrant* very much. "*The Queen*" is well, and very anxious to see you.

Your cordial friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

There has always been a desire on the part of the United States to possess Cuba. This policy has been frankly avowed, and from time to time unavailing offers had been made to Spain for its purchase. In February, 1859, President Buchanan wished to renew negotiations on that subject, and a bill was introduced, "making appropriations to facilitate the acquisition of the island of Cuba." Mr. Crittenden looked upon the time and season as most unpropitious. We had not asked Spain if she would be willing to sell; and the declaration of such a purpose on our part seemed to contain something offensive. The government of

the Queen of Spain had also declared that they considered it offensive. Mr. Crittenden thought the negotiation difficult; but if the President could succeed, the more honor and the more glory to him.

Let him go on, and God speed him in his negotiation. It seemed to be considered that we were to pay a great price for Cuba; perhaps \$200,000,000. We certainly are not now in a financial condition to pay this or provide for it; we have had to borrow \$40,000,000, and so far as concerns the treasury, it renders a mournful sound when you knock upon it and ask for \$200,000,000. There is but a funeral response! But we have other difficulties. It was once the policy of this government to preserve amity and kind relations with all the states of North and South America, and we succeeded. They came into the world as free nations under our auspices. We were an exemplar to them. What has become of that feeling? Where is it, you rulers of our people? How have we lost all this? The good will of a whole continent is a mighty fund of national strength, and we have lost it. We are gathering up little accounts with these nations and making quarrels with them. Do these little clouds of war promise additional prosperity or increase of revenue to meet our debts? Fighting is an expensive luxury—there is cost in it. This bill proposes to let the President make war at his discretion. The power to make war belongs to the Senate and House of Representatives. We cannot abdicate it,—the people have given it to us as trustees.

The policy of this administration seems to be to search over all the *weak nations* of the American continent for little causes of offense or quarrel. It seems that a *Yankee* can no sooner go traveling abroad than somebody imposes on him, cheats him, or strikes him, and he comes to the government and makes a claim. I believe it is the *Yankee* Mr. Hopkins who says Lopez cheated him out of property in Paraguay. Be that as it may, we have now sent out a fleet consisting of I don't know how many vessels, bought and built,—the greatest armada we have ever sent abroad,—and to do what? To find Lopez, the Paraguayan chief, who I have no idea is comparable in ability or power to John Ross, the Cherokee chieftain. To this poor, little, obscure power we are revengeful for an injury! It is said that, in their inhumanity, they fired a gun at one of our ships, and robbed some property of Mr. Hopkins, who, I understand, never had any property. We have sent an armada to cross the ocean, with three thousand men on board, to take satisfaction from Lopez for the Paraguayan wrong done to Mr. Hopkins. I

think it was not worth while to send our *imperial eagle*, so eloquently spoken of, three thousand miles to punish a petty, dirty, chief of Paraguay. I must recur for an instant to a branch of the subject I have left behind, and say that I think our present President, with all his ability, and all his wisdom, and the *general conciliation* of his manner, is not exactly the best qualified for this negotiation; and I will tell you why I am afraid Spain will be particularly jealous of him. We remember in the political history of this country that a few years ago a letter was published, under the signatures of three of our foreign ministers to the most distinguished courts of Europe, of whom Mr. Buchanan was one. I allude to the Ostend letter, which was signed by Mr. Buchanan, minister to England; Mr. Mason, minister to France; and Mr. Soulé, minister to Spain. Spain was supposed to take offense at this letter. The doctrine taught in the letter was this, that if Cuba was more important to us than to *Spain*, if we offered what we thought a fair price, and she refused, *then* there was a sort of intimation that seemed to be so *evanescent* and *sublime* that it was a little hid in the clouds, but the result of it all was, to mortal ears and appreciation, "*then take it.*" The time seems to me inauspicious, but the President has the power to negotiate independent of us. Let him go on, the object is worthy of his efforts. When he has made a treaty, he must lay it before us, and then we will act on our responsibility.

As for the proposition to place thirty millions in the hands of the President to be used at *his discretion* in this negotiation, Mr. Crittenden would never consent to it. The exigency of the case did not demand it. He would never place such a temptation in the hands of the President,—the Constitution never contemplated it. "It was not the place of the Senate to flatter the President by such complimentary evidences of personal confidence. The Constitution does not trust him with a dollar. I will not say I have any want of confidence in the personal integrity of the President, but I reverence the Constitution of my country, and I will not destroy the balance of power, which the Constitution intended to establish between the various departments of the government. Cuba is desirable. It is a rich and valuable possession; but if she was ours to-day, it would be with me a grave question if it would not be best to give her a qualified independence."

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

FRANKFORT, July 2, 1859.

MY DEAR DAUGHTER,—It is indeed long since I wrote to you, and it is strange it should be so, when you are so often, indeed almost constantly, in my thoughts, and when you and your children are so dear to our hearts. In this interval I have received many affectionate letters from you that are precious to me, and the more so, perhaps, because of my apparent neglect in not answering them. The last which I received was from Schwalbach, written on the 21st of May. I am pleased to learn that you are spending your time so agreeably on the famous Rhine and its borders. It must be not only charming, but invigorating to mind and body to look upon, and be in the midst of such scenes so beautiful by nature, and so interesting by history and romance. I may congratulate you, too, upon your unexpected meeting with ex-President Pierce and family. As you were to him a sort of *Germans*, as well as *country-people*, I don't wonder that he found the meeting agreeable. I am of course obliged to him for his attentions to you, but I can't understand *how* he can spend so much of his time in Europe, rambling about obscurely in a manner, I should suppose, to diminish and cheapen the dignity of an ex-President of the United States. Europeans must think that Presidents are *cheap* with us. By this time, I hope you have met with your brother George. I suppose he will make for the seat of war, but will see you on the way. We rejoice to hear that you will return to Kentucky in October. Do not leave any of the children. I shudder at the thought of such a separation, especially in time of war. Come, then, and bring all your children with you; we have set our hearts upon having you all at home again and within our arms. You never gave *wiser* or nobler advice than you gave me when you begged me not to think of the Presidency. I have never *sought it*. It shall never cost me the sleep of one moment. Love to all.

Your father,  
J. J. CRITTENDEN.

(James F. Simmons to J. J. Crittenden.)

PROVIDENCE, November 30, 1859.

MY DEAR SIR,—The purpose of this is to relate the substance of a conversation I had with our honored friend Mr. Clay in the summer of 1850, in which allusion was made to you, and, as your relations with him have been publicly referred to, it is due to him and yourself that you should know it.

I called upon Mr. Clay at Newport, in this State, soon after the accession of Mr. Fillmore to the Presidency, and in con-

versation inquired of him what relations subsisted between him and the new President. He replied that they were very friendly, and, to illustrate this, referred to the conversations between them in reference to the formation of his cabinet, in the course of which he said that Mr. Fillmore said he desired to invite you to take the position of Attorney-General, and regretted that the relations between him and yourself were not as cordial as they formerly were, to which Mr. Clay said to the President that circumstance should not prevent you, for he will make as good an Attorney-General as any man I know. As this was the first intimation I had of any alienation of friendship between you, I expressed my surprise and asked the occasion of it. He remarked that your intercourse was not suspended, but was not as cordial as formerly, in consequence of what had transpired in reference to the nomination of a candidate for the Presidency in 1848. I told him that I thought there must be some misapprehension or mistake on his part, and related a conversation I had with you near the close of the session of the Senate in 1847 upon the subject of the approaching election of President.

That I inquired of you what our prospects of success were for 1848; that you replied that you were sorry to say there appeared to be many difficulties; that at former elections we felt sure that we could have the use of his name as a candidate, and that the last convention was unanimous; but now, a year before the convention was to meet, the party was divided and distracted by a number of candidates, each having friends devotedly attached to them, naming, besides him, Mr. Webster, General Scott, and General Taylor, and that, knowing this, it was doubtful if he could be induced to accept a nomination.

I remarked that it was unfortunate to have too many good candidates, but had no doubt Mr. Clay was the choice of a majority of the party. In this you concurred, but said there was some reason to fear that Mr. Clay would decline being a candidate with a united party, unless there was reason to expect some diversion from the opposite party in his favor, and you was sorry to say you saw no indication of that; but that such a diversion appeared more likely to be in favor of some one less prominent than Mr. Clay.

I then remarked to you that a Democratic member of the Senate had told me that such a diversion could be calculated upon in case you was the nominee, and had requested me to consult you, when you replied that you trusted you should not be insensible to the value of such a compliment; but that the suggestion of your name would only add to the present complications, and begged that I would say nothing of it, and that

in deference to your wish I had not mentioned it. I told Mr. Clay that, from the whole character of your remarks at this time, there could be no doubt of the sincerity of your friendship for him.

Mr. Clay said he was very glad I had related this to him, as it changed the aspect of the case; and from his manner and remarks I believed it changed his opinion of it, for in all my intercourse with him I have felt that he was eminently just.

I am with great regard your most obedient servant,

JAMES F. SIMMONS.

Hon. J. J. CRITTENDEN,  
Frankfort, Ky.

(In Senate, January 3, 1860. Slavery Question.)

Mr. Crittenden.—I rise, Mr. President, for the purpose of presenting a resolution to the Senate. The times upon which we have fallen are of a very extraordinary character, full of danger to the peace of the country and even to the Union. The character of the times seems to me to require of us all ordinary and extraordinary efforts for the purpose of averting the danger which now so threateningly hangs over us. The measure which I am about to propose, sir, is of that extraordinary character, and I shall be at a loss for a justification or excuse for it unless it can be found in the perilous condition of public affairs, and in that great law, the safety of the people. I hope this measure may be productive of some good. I shall therefore lay it on the table, with all other measures tending to that object, to be considered by the Senate. I beg leave, sir, as the resolution is in my handwriting and perhaps not easy to decipher by the clerk, to read it myself.

Mr. Bigler, Mr. Given, and others. "Let them be read."

*Whereas*, The Union is in danger, and, owing to the unhappy divisions existing in Congress, it would be difficult, if not impossible, for that body to concur in both its branches by the requisite majority, so as to enable it either to adopt such amendments to the Constitution as are deemed necessary and proper to avert that danger; and *whereas*, in so great an emergency the opinion and judgment of the people ought to be heard, and would be the best and surest guide to their representatives; therefore

*Resolved*, That provision ought to be made by law without delay for taking the sense of the people, and submitting to their vote the following resolutions as the basis for the final settlement of those disputes that now disturb the peace of the country and threaten the existence of the Union.

Mr. Crittenden.—I will take occasion to say that the resolutions are the same that have been, perhaps, in the hands of

every senator for weeks, which were laid upon the table some time ago and printed; the same I had the honor of offering to the Senate, with the addition of two others proposed by the honorable senator from Illinois, Mr. Douglas, also printed, and in the hands of senators. Let them be read if gentlemen desire to hear them.

It was not my intention, Mr. President, knowing how this day is engaged, to interfere with gentlemen who have possession of the floor. If I were to enter on any discussion of this subject, it would occupy much more time than remains between this and one o'clock.

I would only invoke out of the fullness of my own heart the earnest and serious attention of my colleagues in the Senate on this subject. We are, sir, in the presence of great and startling events. We must act. It will be an open shame to the Senate of the United States, an open shame to the government, if, under such circumstances as now exist, this great nation is allowed to fall in ruins. Gloomy as the time looks, and unbroken as the clouds are which surround us on every side, and as little reason as I can see, as little solid ground as we seem to have to stand firmly upon, I yet have a conviction—it may be a superstitious conviction—that we will not be so unequal to our positions as to allow this ruin to come upon our common country, while we occupy such honored places among her rulers. It cannot be. The sacrifice to be made for its preservation is comparatively worthless. Peace, harmony, and union, in a great nation, were never purchased at so cheap a rate. It is a scruple only of little worth that stands between us and reconciliation, and we stand here pausing and hesitating about that little atom which is to be sacrificed. It may be, sir, that we are spell-bound in our party politics, and in opinions which they have generated and fastened upon us against our will; but I appeal with confidence to that great source from which we derive our power. When the people are in danger, and the people's institutions, I appeal to them with confidence. If *we* are at fault, if we cannot combine the requisite majority here to propose amendments to the Constitution necessary to the settlement of our present difficulties, the people can! Give us their voice and their judgment, and they will be our safest guide! This is not an appeal which, in any result, can prostrate the Senate of the United States. Not at all. I have too long shared in its honors, its dignity, and its independence, to desire ever to see that done; but I do hope that the representatives will respect, and regard, and give a proper influence to the sense of the people when fairly and fully understood; not more than it is entitled to, but the full measure of all it is entitled to. This is their govern-

ment. Its preservation is dearer, more inestimable to them, than to all the world beside. They have the greatest interest in it,—the greatest care for it. I have believed, and have often said to the people in the humble addresses I have been called upon to make to them, "Take care of the Constitution, my fellow-citizens, and the Constitution will take care of you. Take care of the Union, and the Union will protect and preserve you." This is the doctrine of the people, this will be the sentiment of the people, and they will give good advice as to how this matter ought to be settled. I look with full confidence to them; and so far from feeling myself—if I should sit here at all—humbled, or consider myself a submissionist (a term now commonly applied to *law-abiding* men), I shall walk proudly upon the highway they have pointed out, and more firmly and more surely when strengthened with their strength, and honored with their advice. If further means fail, let us avail ourselves of this, and make our appeal to the people. Sir, I will no longer occupy your time. I will not interfere with other gentlemen entitled to the floor.

(General Scott to J. J. Crittenden.)

NEW YORK, January 6, 1860.

MY DEAR CRITTENDEN,—My eyes were gladdened this morning at the sight of your frank, and I am most anxious to take you again by the hand. But first a word in reply to the suggestive inquiry you make. See the accompanying letter, "copy," which I communicate confidentially so far as regards Mr. W. He called upon me about six days ago, and in a free conversation won my esteem by his manliness and conservatism. Such overtures, in my opinion, should, for the public good, be met with prompt kindness and reciprocal good will. Mr. W. is no ordinary man. I made to him, however, and I have made to no other politician, no pledge, meaning, if brought forward as a candidate for the Presidency again, to have no other platform than the Constitution, and to make no new declaration of opinions, but simply to rest on the known antecedents of my public life. Now, my ancient friend, why should I visit Washington, unless specially called there by the War Department? My personal friends—and I have some in every party—stand at daggers' points towards each other, and there is — —, a man of genial manners, and who always approaches me with warmth, but with whom, although I am obliged to see him, I can have no intimacy, because I more than doubt his honesty. You know the party alluded to, for I explained myself fully to you when last we met. Still, I am restless and unhappy away from Washington. The state of the country almost deprives me of sleep, and sometimes I *dream* that I might possibly be

of some service were I at the centre of agitation. Gleams of comfort begin to break upon us,—the Rochester resolutions and Preston King's assurances in presenting them, the convention of manufacturers to be held in Connecticut, the Mississippi resolutions, etc. Upon the whole, I think I ought not to visit Washington unless things become decidedly better, or (which God forbid) something worse. Write to me freely.

I remain yours,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

(Amos A. Laurence to J. J. Crittenden.)

NEAR BOSTON, Jan. 6, 1860.

MY DEAR SIR,—We have not thought much about General Scott's nomination, and probably shall not, unless you choose to recommend it. You are the candidate of the National Americans here, and they will not look elsewhere until you direct them to do so. Besides that, you have the confidence of the American Republicans (Frémont) here, and even of the Republicans of the conservative sort. As to the Whigs, they have pretty much disappeared from Massachusetts, so far as numbers are concerned, and their organ, the *Boston Courier*, with its editors, has favored the Democrats.

The only hope of doing anything effective here is in dividing the American Republican (Banks) party, and this can be done. The American portion of it can be brought up upon national ground, and the great reserved vote will vibrate to that side. You will see in the call of the convention at Chicago that the Massachusetts American Republicans are excluded by the clause which relates to the equality of citizens. Besides this, it contains nothing about the great manufacturing and producing interests of the country. The spirit here is good, and we admire the position of the Southern American members of Congress, and hope they will maintain it. If they go to the Democrats, they will damage the hopes of any successful action in this part of the country, and if to the Republicans, the effect will be bad.

What is wanted is a programme. If new members are to be added to the national committee, they should be selected with great care. Certain gentlemen, who may be known at Washington as representatives of the Whig or American party in Massachusetts, are not favorably known here. We do not want fossilized men, nor politicians. Please not count me in as one. I never held an office, and wish to avoid the appearance of wanting one.

If you will send me two notes of three lines each in your own handwriting, asking me whether the Union-loving men of Mas-

sachusetts are ready to unite with the opponents of the Democratic party in the other States for the defeat of that party and of all extremists, I will promise to organize this whole State in eight weeks, and to keep your notes out of the newspapers. All we wait for is the word of command. *Shall we have it?*

Respectfully and truly yours,  
AMOS A. LAURENCE.

(General Winfield Scott to J. J. Crittenden.)

NEW YORK, Jan. 27, 1860.

DEAR CRITTENDEN,—I write mainly to put you on your guard against Wyndham Robertson, Jr., a townsman of mine; he was with me some five minutes a month ago, just (as he said) from Europe, and *accidentally without money*. I lent him enough to take him to Richmond, where he said he was to become an editor of the *Whig*. I had no conversation with him about the Presidency; but here is a letter from him, dated Washington, yesterday, asking for *more money*, as he is there on a *mission* (God knows from whom) to organize the conservatives of all parties for electing me. He is a plausible fellow, and has probably presented himself as my special friend and agent. I beg to say that I have no missionary and no agent, and I have not written a line on the subject of the next Presidency *which you* have not seen. To some three or four persons I have said that *if* nominated and *if* elected—*two toll-gates* to be leaped by an *old horse*—I should feel myself bound to consider all *effective supporters* as belonging to one and the same party with myself, the people's party, the conservative party, or a party with some other *wholesome name*. I have stated that I neither expected nor desired a nomination from any existing party; but *if* brought forward I would have no platform other than the Constitution, and give no pledge other than my known public character. I have not heard from Senator —— since his letter, to which I replied. I have heard, however, in a roundabout way that *that* senator and another (an old Whig and personal friend) were rather openly using my name as a candidate. If I had *aspirations* it might be profitable to *show myself* at once, for, instead of being superannuated, I am in the most vigorous health. In bright weather I read and write without spectacles. I dine, sup, drink, and sleep *like a young man*, and if I don't walk as well it is only because I am a *little lame* from a hurt in my left knee. If once elected, I fear I shall find it difficult to *avoid a second term*. I give you leave to retort, “Sufficient for the day is the evil thereof.”

Faithfully yours,  
WINFIELD SCOTT.

(General Scott to J. J. Crittenden.)

NEW YORK, Feb. 1, 1860.

MY DEAR CRITTENDEN,—I have received all your letters; that is, three. Mr. W.'s letter to me, written at Washington the day before your first, I supposed I had inclosed to you with a copy of my answer. It was *that* I begged you to return. I now fear I have dropped it where it may fall into improper hands. It is singular that Mr. W. wrote to me nearly in the language of your inquiry of a day later, on the part of many friends, to know whether I would accept, on my arrival at Washington (where I was daily expected), a *public dinner*. It was to decline *that* I wrote to him, as I did to you, the day after. I send back the copy of my reply to Mr. W. that you may understand my position towards him. My previous acquaintance with that senator was but slight. *Confidentially*, I have strong suspicions that he wishes to drop Seward.

With kind regards to my friend Mrs. Crittenden, I remain yours truly,

WINFIELD SCOTT.

(General Scott to the Hon. H. Wilson.)

DEAR SIR,—Your inquiry is as delicate as it is complimentary; I am obliged, however, to decline the proposed honor. I have not in many years been voluntarily present at a public entertainment, and this reason ought, perhaps, to render any other superfluous; but I deem it due to your kindness to add, *that*, finding myself in the present excited, *almost distracted*, state of our country looked to by many prominent citizens of every party for the Presidency,—a place I do not desire, and would not be thought of for except in a great emergency,—I think it my duty to *stand aloof* from any particular connection with either of the political parties. This is not timidity, but I hope a wise patriotism and a desire not to lose the chance of usefulness with the conservative of all parties in the threatened crisis.

Believing that, under like circumstances, *you* would be one of that number, no matter *who* the *leader*, I remain very truly yours,

WINFIELD SCOTT.

Hon. H. WILSON, Senator, etc.

(John P. Kennedy to J. J. Crittenden.)

February 7, 1860.

MY DEAR CRITTENDEN,—No paper by this morning's mail. I have thrown together some passages for the address, but do not attempt an entire paper, because the expected address pre-

pared by Marshall and Brooks will, I have no doubt, leave little to supply. From my not receiving it this morning, I fear it will be impossible to complete the entire structure of the address in a condition for publication in time to suit our friend Graham's convenience, as he says he must set off for home on Friday. I therefore propose that *he* (Marshall), and any other member of the committee who may be in Washington, shall come over and dine on Thursday, and that Conrad and yourself shall join them, and, whether we have the address complete or not, we can talk it over and adjust the points for my instruction in preparing the final form.

I beg you to let me know, at the earliest moment, whether they will come on and dine, and who will come. I must know by to-morrow evening.

Yours truly,  
JOHN P. KENNEDY.

Hon. J. J. CRITTENDEN.

(F. P. Blair to J. J. Crittenden.)

SILVER SPRING, February 16, 1860.

DEAR CRITTENDEN,—I send you Frank's late speeches in the hope that you may glance at them. I am anxious that you should read the last portion of his New York speech, as he has taken a *leaf out of your book*, and made it the platform of the Republican party. I have very little doubt but that the Republicans (whose paramount feeling is the preservation of the Union as formed by the men of the Revolution) will adopt their policy to defeat, with the least injury to the public interest, the schemes of the party seeking a separation of the States. The malcontents, who keep up a clamor about slavery, who broke up the Missouri Compromise, who taught John Brown his lesson in Kansas by their oppressions and murders, who sought to put a yoke on the people by a constitution, the work of fraud and force, and who now continue the wrong by refusing to admit the State under their rightful constitution, have nevertheless obtained all they can demand for slavery under a constitutional sanction by the decision of the Supreme Court. *This* does not satisfy their ambition, and they are resolved to *go out* of the Union, make a conquest of Mexico, and reduce that country, with its hybrid population, to slavery. They know that the free States will not co-operate in this scheme, and hence all the plans of the nullifiers converge in that of a dissolution. If the Republicans should make a nomination which would justify alarm among the slave-owners that their property was endangered, it would be playing into the hands of the enemies of our government. I am convinced they will take no such unwise course. They will nominate some man from the slave

States. If you should not be *selected*, I am sure it will at least be one with whom you can cordially unite in giving direction to the government. Let me beg, therefore, that in your speech you will lay down some broad platform on which the whole Union party of the nation can unite. You are the head of the Senate, and will be far above the head of the government, if you give your native courage and more than lip-cherished patriotism scope.

Your most affectionate friend,

Hon. J. J. CRITTENDEN.

F. P. BLAIR.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, March 1, 1860.

DEAR CRITTENDEN,—I have not written to you for several weeks because of rheumatism. Our convention was large and respectable. Your being recommended for the Presidency *was the point* I had most at heart. It won't hurt you in any event. Some of our friends are opposed to our running a candidate,—Josh Bell, I think, is of that number. I have very little patience with such lukewarm Christians. If we have no candidate our party will be absorbed in the Democratic party in this State. A good many are inclined to Douglas; at any rate, I am not of that number. It appears to me that Douglas's chance of being nominated at the Charleston convention has increased a good deal, but I still think he cannot succeed. If he does, then I think Bates will be the Black Republican candidate. You know better than I do how matters stand.

Carneal is more agreeable than ever. I never saw a man improve *so much*. I can't force him to enter into an argument.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

In 1860 there was much excitement and discussion in the Senate on the subject of Thaddeus Hyatt, a contumacious witness, who had been summoned by a senatorial committee to give information with regard to facts, I think, connected with the John Brown trouble at Harper's Ferry. The witness, upon the summons, refused to attend. Mr. Crittenden declared this to be a contempt in law. He said:

This citizen, upon his private understanding and his conscience, as it is called (and I know of no better depository for the most occult and inscrutable deposit of a secret than what a man *calls his* conscience), in his individual person, undertakes to set up an opposition to the laws,—and great sympathy is excited for the offender. What will become of the administra-

tion of the laws, if such anarchy can be set up by an individual under the standard of an unknown conscience? I am for no such liberty as that. It is obedience to the laws which constitutes our liberty; yet the honorable senator from New Hampshire (Mr. Hale) is thrown into transports on this subject. He sees in the power to summon a witness an unheard-of, tremendous, indefinable, immeasurable power which is to root out the liberty of the citizen. He feels a sympathy which knows no bounds for the man upon whom this terrible oppression is imposed. I think the *individual* has no claim for sympathy. It is conscience against law that is the condition of the individual. Each branch of Congress has a right to make investigations, and, in consequence of it, a right to summon witnesses without the concurrence of the other House. Our witness, instead of answering for his apparent neglect of our summons, turns upon us and becomes our accuser; says to us, "You had no right to institute this inquiry. Where is your authority?" And a sort of *capitulation* is now proposed to the Senate of the United States, that we shall make an implied apology for our irregular proceedings, and direct the witness to be discharged, and then send him a polite note,—an invitation in this form, "As we had no right to *exact* your attendance, *do be so good* as to wait on Mr. Mason and his committee, and tell him, if it suits you, what your conscience will permit you to disclose." We may regret that the poor man should be so bewildered by his conscience as to think its whisperings a sufficient excuse for disregarding the constituted authorities of his country. I have remarked with great pleasure that the senator (Mr. Hale) expresses himself strongly in favor of the Union. I think I have no States rights friend who goes by any means so far as himself in his States rights doctrines. It seems to him an oppressive proceeding for Congress to summon a man out of the State in which he lives as a witness. He seems to think the States are secured from the touch of authority by this government. What, then, is the limit of its authority? The District of Columbia? I think my friend from New Hampshire has indulged a little too freely his zeal and his ardor for liberty on this occasion. I hope the *individual* will reconsider, will look calmly upon his duties, and be better advised than to stand in contumacious opposition to the laws of his country, and endure the *prison* to which I shall regret to send him. I shall feel it my duty, so far as my duty goes, to impose upon him this punishment till he obeys the laws. I am bound to submit to the law; you and all of us are bound to comply with it.

## CHAPTER XI.

1860.

Washington Hunt to Crittenden—Senate, Consular Appointments—Letter to Hunt—Senate, Homestead Bill—Crittenden to Hunt—Letter from St. Nicholas Society—Leslie Coombs on Senator Crittenden at Baltimore Convention—Letter from Amos A. Laurence—Letter from Edward Everett—Senate, African Slave-Trade—Relations of States—Resolutions of Mr. Davis in the Senate, 1860.

(Washington Hunt to J. J. Crittenden.)

NEW YORK, April 9, 1860.

MY DEAR SIR,—I thought seriously of writing you on political matters some time ago, but concluded that it would be difficult for me, living in retirement on the outer border of the country, to impart any useful information to you, a veteran actor and observer, stationed at the great centre of political light and intelligence. It seemed a little too much like offering to “teach war to Hannibal,” therefore I remained silent. Of course it is unnecessary for me to assure you that your views, and sentiments, and principles are identical with mine. It has been my pride for years and years to look to you, and follow you as my leader and guide, on all the great questions of national interest. The present condition of affairs is complex and difficult, yet I feel very confident that on a full explanation of views there would be no difference of opinion between us on points of expediency touching our future action. I am prompted to write you at this time because it would seem that a letter written in the *Tribune* has produced a wrong impression in regard to my position. I have said or done nothing to warrant the sweeping conclusions of that letter. After the time was fixed for the Baltimore convention, I received two or three letters from friends on that subject; and in reply I expressed regret that a later day had not been chosen. It seemed to me desirable that we should have the action of the Chicago convention as well as Charleston before taking our final stand. But the question was not free from difficulty, and perhaps I took a mistaken view. I am not disposed to be exacting on questions of mere expediency; and when the point is decided by a majority of my friends, I am accustomed to acquiesce cheerfully. The point is now settled, and I do not wish to revive or to argue the question.

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In the present position of affairs, there are two great dangers or evils to be averted, if possible. The first danger is that all the Southern States will vote for the Democratic candidate; the second, and perhaps the greater, is that nearly all the Northern States (enough to elect) will vote for the Republican candidate. We must endeavor to guard against either of these results. In this State, as in most of the free States, the masses are absorbed in one of the main parties, Democratic or Republican. But in several States the conservative men have sufficient strength to turn the scale. We think we have the power to do it in this State. Many of our friends are very reluctant to commit themselves in such a way that they will not be free to act effectively in case they should finally judge it to be necessary, in order to save the country from the calamities that would result from a sectional triumph in the presidential election. At one time we had hoped to see the whole opposition unite on a conservative candidate; but this hope is almost dispelled. I expect to see them choose a sectional agitator at Chicago. In that contingency, I have no fear that you and I will differ in opinion as to the course of duty for conservative men, in some at least of the free States.

I expect soon to be at Baltimore. I hope to see you before the convention organizes, for I wish to explain my views more fully than the limits of a letter will admit. I will give you my opinions with perfect frankness. At the same time I will promise to defer to your better knowledge and superior judgment. On a free interchange of sentiment, your opinions will surely be conclusive with me. The state of parties is very unsatisfactory. My personal inclinations would lead me to keep myself far away from the strife; but our country is here with all its glorious institutions, and we are bound to preserve them if possible. For one, I cannot shrink from my just share of the responsibility.

I remain, as ever, with great regard, yours faithfully,

WASHINGTON HUNT.

The Hon. J. J. CRITTENDEN.

(Senate, March 27th, 1860. Consular and Diplomatic Bill.)

Mr. Crittenden.—I shall vote against this amendment. I think one of the evils and burdens of the day is the multiplicity of our ministers abroad and the multiplicity of our treaties; they are almost overwhelming. I do not wish to add to their expense or number by sending a minister at an expense of eight or ten thousand dollars a year to Paraguay. We have a consul there through whom, it seems to me, we can keep up all the civilities and courtesies that are necessary between this republic and the

republic of Paraguay. It has not seemed to me that our good understanding with foreign countries, particularly with the small governments of South America, has at all corresponded with the number of our ministers. Each and every one of them seems to have an ambition to negotiate. He *must* do something; he must come home in a short time, and *must* bring along with him some title to the nation's attention and gain renown. *A treaty* he must have, or his time has been misspent, and in making that treaty he is most likely to get into one or two little quarrels. I think, therefore, our peace with nations of this description will be best preserved by consuls, who, having no diplomatic ambition, no thirst to raise little strifes, in order that petty treaties may follow, will be willing to act as mediators in respect to all due courtesies. I am totally opposed to the multiplication of this class of officers. Often, very often these appointments may be considered much in the same character of those which Mr. Bright, of England, denominated a multitude of their diplomatic appointments,—“a sort of outdoor relief given to poor nobility;” we may say, “given here to unfortunate politicians.” I think the expenditure a useless one, and hope the amendment will not be made.

There are few gentlemen in the body or out of it for whom I have more respect than for the senator from Virginia, Mr. Mason. I simply differ with him as to the propriety of sending this mission. I have a deep and abiding conviction that in many instances these missions do more harm than good. They want to do something; they get up a little strife; then we have a treaty, and the Senate is called upon to ratify it; and through all this grand process the name of the negotiator is necessarily canvassed, and *he* acquires, as he imagines, a something like *fame*. This is ambition!

Now, my friend from Louisiana is not entirely correct, though he is so in general. He has known of no mission which has been discontinued. I will tell him of one.

On one occasion, while I was temporarily acting, in the absence of the Secretary of State, performing his duties for a week or two, there arrived here an old friend of mine, one whom I valued highly, and he told me he had been abroad. He had been sent out as minister to some small republic in the mountains of South America,—Bolivia, Ecuador, or some other point. He gave me an account of his travels and of the country. He had traversed the Andes, and scaled the Cordilleras, and at last reached the spot where he was told he would find a government,—the government, indeed, to which he had been sent. Upon inquiry, he was told that the government had left there a few weeks before and gone farther into the mountains.

There was, however, a fragment of the late government,—a man hovering about who had been secretary of war. So he addressed himself to said secretary of war as approaching nearer to the character of a government than anything else he saw or heard. He had had a disagreeable journey through the mountains, and was no doubt in a bad humor to find his government escaped. He fell foul of this secretary of war with his diplomatic correspondence. He was not very well versed in diplomacy, and I suppose his letter was not very courteous. He received a reply in consonance with his letter, which he immediately followed by a peremptory challenge to fight a duel. [Laughter.] He thought that mode of settling belonged particularly to the department to which he addressed himself, and challenged him immediately to mortal combat. Not being able to obtain a meeting with this secretary of war, he abandoned the country as utterly unworthy of all further negotiation or treaties of peace whatever, and came right home. That was the end of his mission. [Laughter.]

So there has been one mission discontinued. I admit it is seldom the case that such things happen; but to speak seriously, Mr. President, I do believe these missions do no good. I know that consuls cannot occupy or fulfill the whole diplomatic character, but they are officers of the government, and can be made use of for communication between other governments and ours. I do not see that any diplomacy is necessary between Paraguay and ourselves. We can get along without this mission. I would use every means to prevent Paraguay considering it a courtesy. We are friends, and I think our business can be arranged by consuls. We wish peace, and friendship, and courtesy with her. Cannot all this be accomplished without the costly machinery of a diplomatic mission? I object to the amendment.\*

(J. J. Crittenden to Mr. Hunton.)

April 15, 1860.

DEAR HUNTON,—I have had the pleasure to receive your letter of the 10th inst. It gratified me much, as your letters always do. I am tired of the life I am leading, and feel impatient for the end of my present senatorial term, quite prepared to retire to private life, and look forward to that repose with much gratification. I don't think this is the discontent of a *disappointed* politician, but I am tired of public life. Disgusted with the low party politics of the day, and the miserable scramble for place and plunder. I presume that I could obtain the nomination of the Union party for the Presidency, but I don't

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\* This speech, being short and amusing, is given here entire.

desire it, and have all along and repeatedly declined, and warned my friends that I did not wish to be considered a candidate. If there can be a state of things deserving to be called political, in which there is nothing but party and personal objects without any apparent patriotic purpose or consideration of the country's good, we are, as it seems to me, just in that state. The feeling between the Democratic and Republican parties is as bitter as it can well be. Numbers of delegates to the Charleston convention are now here on their way to that assembly. *Who* will be their nominee is now the question fiercely contested. The opponents of Douglas are very hostile to him, and will defeat him if possible. His friends, I believe, are also quite confident and determined. My impression is that Douglas will be the nominee. But whatever may be the decision of the convention, a great schism, it is thought, must follow. Among many Republicans here a strong impression prevails that Seward will not be nominated by the Chicago convention, but my conviction is clear that he will be. His nomination will produce much discontent in that party. The schisms and discords thus inevitable in both these parties must, it is thought, bring great accessions to our new Union party, and it seems to me that is a fair conclusion. We expect to have a large and respectable convention at Baltimore. I do not know *who* they will nominate, and am persuaded that they will act wisely and prudently. I do not much care so that I can escape and get off smoothly. I trust that you will not be in the least influenced by my course. There may be *contingencies* in which it might possibly be the duty of the Union party to vote for the Democratic candidate; and in the contemplation of such a contingency, I would not consider it at all strange that any one, standing as free and unconnected with parties as you do, should hold himself in reserve till he can see the whole case, and then decide according to his sense of duty. It does not surprise me that you find yourself in this condition. If you leave Kentucky, I should prefer your going to St. Louis, because I should probably see more of you there; but if you have made money enough, and are prepared to quit that *drudgery*, why should you not settle near us at Frankfort, or somewhere else in Kentucky which we might agree upon? For myself, I do not intend to take any more trouble, or even *thought*, about *money-making*. It will not require much to satisfy a man of my moderate desires, and my maxim shall be, "Poor and content is rich enough." Indeed, I am quite resolved to live at my ease, and as much like a Christian gentleman as I can, eschewing politics, and leaving the Union (with which I have been so long troubled) to take care of itself. Now, sir, if you have the taste for such society, you

may have the opportunity of participating in it. Love to your wife and family, and forgive this long and tedious letter.

Your friend,

J. J. CRITTENDEN.

The disposition of the public lands had always been a subject of great interest to Mr. Crittenden. He opposed the homestead bill, or at least a part of the fifth section of that bill, which was before the Senate on the 20th of April, 1860. This was the language of the bill: "That if any person, *now* or *hereafter* a resident of any of the States or Territories and *not* a citizen of the United States, but who, at the time of making application for the benefit of the act, shall have filed a declaration of intention as required by the naturalization laws of the United States, and shall have become a citizen of the same before the issuing of the patent, as provided in this act, he shall be entitled to all the rights conferred by this act." Mr. Crittenden moved to strike out the words "now or hereafter," and to insert "who at the passage of this act *is*;" and Mr. Crittenden affirmed that the old Congress, which adopted the original system for the disposition of the public lands, knew well that they ought not to be held merely as a source of profit, to be disposed of with a view *only* to pecuniary advantage; they were influenced by a greater principle: their design was to promote the great agricultural interests of the country by disposing of them to those who desired to cultivate them at a low rate. Mr. C. believed that every change which had been made in the old system had impaired its wisdom and its simplicity. The present policy, to which he was sternly opposed, was to give away the public lands; that is, to offer them at the merely nominal price of twenty-five cents an acre. This seemed as if we were in a hurry to get rid of this great national inheritance—this mighty legacy for our posterity. The lands were now offered to the world, to all tribes and all kindreds. These lands belonged, in his opinion, to the children of the republic, and should not be lavished upon emigrants. In a little while, a few generations of our own children would require all our public lands. These generations are coming, coming, like the waves of the ocean. This was not the property of the Senate, only held *in trust* for the people. Mr. C. wished to know who were to be the bene-

ficiaries of this law,—thousands in the old States were so situated that they could not move. This bill gave the land to a floating class, a class *willing to float* for one hundred and sixty acres of land. It was thought, when the bounty-land system was adopted, that the tired soldier, with his hand unstained with plunder, would receive from his grateful country a warrant for one hundred and sixty acres of land, would settle upon it, be happy and contented, and raise up children for the Commonwealth. These were the fancies of orators; senators knew better. Perhaps not one in a thousand of those men ever settled there. The bill was marked with inequality; we have a large and rapidly-increasing family, and should not give away our land to strangers. We have borne all the hardship and expense of acquiring this domain, fought for it, driven off the Indians, and hedged it round in security. Mr. C. declared that he would not consent to give these lands away to foreigners,—his amendment to the bill confined it to those *now* in the country.

(J. J. Crittenden to Washington Hunt.)

WASHINGTON, April 25, 1860.

MY DEAR SIR,—I have received and read with the deepest interest your letter of the 9th instant. The expressions of regard and personal confidence which it contains are highly valued by me, and I beg you to accept my very sincere and earnest acknowledgments. The views suggested by you in relation to the Baltimore convention are worthy of the most serious consideration, and the convention will, I trust, be moderate and wise enough to dispose of them properly. I think it will be a very able convention, and I have great confidence that its course will be marked with moderation and wisdom. We shall have there many experienced and distinguished statesmen, and *they* will be our security against any foolish or unadvised course. Guided by their counsels, our party may probably be made available for great public good. Our convention will have much more to consider and decide than a mere nominating convention would have. The Charleston convention, now in session, may terminate in a manner to give a great importance to the deliberations of our Baltimore convention. I must urge you to attend without fail. I shall be glad to see and converse with you before the meeting of our convention. The distractions which we hear are now prevailing at Charleston leave it doubtful whether they will make any nomination,—

whether they will divide, or make two nominations, or break up in anger or confusion. The result can hardly be such as not to present to us new and important views and subjects of consideration. We shall want your presence and counsel, and you must not fail to attend. The distraction that may be produced by the Democratic convention will impose upon us new responsibility and make great changes in our course of action. Under all circumstances, we must do nothing idle or ridiculous, nothing to compromise the good sense, patriotism, or dignity of the convention. Questions of great importance will be before it; *they* must be properly decided, and we must have your assistance. In regard to the mere nomination of candidates, I am persuaded that our convention feels itself not only uncommitted but without a preference, and free to choose. This is fortunate, and will give entire freedom in its course of action. Our convention should act for the whole country, as though it represented the whole country. These we must discuss when we meet. I had intended to write you a few lines and have troubled you with a long, rambling letter.

Excuse me, and be assured that I am your friend,

J. J. CRITTENDEN.

Hon. WASHINGTON HUNT.

P. S.—Come here some days before the meeting of the convention. You will, no doubt, find Rives, Stuart, Badger, Graham, etc., and you can consult about all that we should do.

(Charles Roome to J. J. Crittenden.)

IRVING PLACE, EAST FIFTEENTH STREET, NEW YORK.

Hon. J. J. CRITTENDEN.

DEAR SIR,—A few evenings since the stewards of the St. Nicholas Society sat down to the “settling dinner,” which is a family affair like the “fasting dinner,” at which you did us the honor to be present. Mr. Verplanck, Mr. Van Buren, and other friends of yours, were with us, and many were the kind wishes expressed for your welfare and happiness. Mr. Verplanck, in an address (in reply to a toast), spoke of his friend Mr. Crittenden at considerable length in a manner that would have gratified you, I am sure, could you have heard it. It was certainly gratifying to us, for while he declared his opposition to certain political views which you (and a number who were present) hold to be best calculated to advance the honor and prosperity of our common country, he spoke with warmth of those noble qualities of head and heart which endeared you to your friends, and commanded the admiration of your countrymen of all parties. He mentioned you having aided us in getting up our toasts,

and said I must send you a printed copy of them, which must be my excuse for trespassing upon your time. In your contact with the distinguished men among you, we doubt, sir, if you will find warmer hearts, or more honest ones, than you have sitting up in the little circle of Knickerbockers, who trust you will never forget them, and who will always be happy to see you when you honor our good city with your presence.

I am, sir, very respectfully, your obedient servant,  
CHARLES ROOME.

(General Leslie Coombs on Senator Crittenden, in the Baltimore Union Convention, just before the balloting for a vice-presidential candidate began.)

MR. PRESIDENT AND GENTLEMEN OF THE CONVENTION,—A few last words before we part. I am about to leave for home; but before I go I desire to say something in reference to the gentleman whose name was presented to the convention this morning by the Kentucky delegation, Hon. John J. Crittenden, because I desire that these words shall be put upon the record of our proceedings. I have been his personal and political friend all my life. He has been in the service of the State of Kentucky almost all his life. He was sent to the Senate of the United States at the age of thirty, and for forty odd years he has served his State faithfully [applause]; and although his modesty, his unselfishness, forced us to withdraw his name to-day, I wish to say that his record for forty years will compare in high aims for patriotic deeds and unselfish services to his God and his country with that of any other man in this or any other country. He entered public life without a blot upon his name. Bold, fearless, and generous, he has left the service of his country as he entered it, without a blemish. Could a Plutarch of the present day write his history, and run a parallel between him and ancient sages and orators, he would be compared with Cato for honesty, with Julius Cæsar for courage, with Aristides for justice, and with Cicero for eloquence,—and he would equal them all! That, gentlemen, is John J. Crittenden of Kentucky; and I appreciate him more highly than any other man on the face of the globe. If we had allowed him to be nominated this day, there is no telling what would have been the result. I have felt it my duty to say this much for him. He will retire from the public service and political theatre upon the 3d of March, 1861, and my friend Breckenridge will take his place, a man of whom it has been said—but *I* will not say it. He has done less for the Democratic party, and received more from it, than any other man in America.

(Hon. Edward Everett to Washington Hunt.)

BOSTON, May 14, 1860.

MY DEAR SIR,—Colonel Seaver handed me yesterday your official communication of the 11th, with your private note inclosed. For the friendly tone and purport of both I pray you to accept my warm thanks. The nomination of the Vice-Presidency was not only unexpected, but wholly unthought of by me, and embarrasses and distresses me. I could not be ignorant that I should be thought of as a candidate for the Presidency. Many private letters and friendly journals in different parts of the country had spoken of such an event, though never with any encouragement or *stimulus* from me. The convention in this city, at which delegates were chosen for Baltimore, had named Mr. Crittenden and myself, giving him very properly the precedence, but no intimation of which I could take notice was ever made to me that I should be brought forward. A few days before going to Baltimore, my friend Hillard asked me semi-officially if I would accept a nomination, and wished to know what he should say if he were asked the question at Baltimore. I needed no time to make up my own mind, but I thought it due to the importance of the subject to tell him I would consider it and write him a word, adding that he knew my intention and wish not to return to public life. On the morning of the 9th (the day on which the convention met), I sent him this telegraphic message: "Withdraw my name at the proper time; more by mail." At the same time I dropped a letter to him into the post-office, of which I inclose a copy. At the first ballot, the vote was so strong for Messrs. Houston and Bell that on the second ballot my friends from Massachusetts and elsewhere, with a few exceptions, very properly withdrew their votes. Unfortunately, my friend Hillard forbore to state to the convention that this was done at my own request, and that I did not wish to be voted for. There was no balloting for Vice-President, and my nomination was carried in a way which took my friend by surprise, and gave him no opportunity to withdraw my name. Whether he was in possession of my letter at the time, he has not informed me, but I presume that he was,\* and that it led him to state, as he did, that he could not answer for my acceptance.

Had it been known to the convention that I had, both for reasons personal to myself and for the sake of promoting harmony in the convention, withdrawn my name as a candidate for the first office, they would not, I suppose, have named me for the second.

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\* Such was the case.

I am now, as I said, embarrassed and distressed by the nomination. I cannot decline it without seeming to throw cold water on the movement, or to manifest discontent to the preference given to Mr. Bell (and nothing can be further from my wish than to do either), or I must wear before the country the appearance, after frequent expressions of a purpose to retire from public life, of having stood as a candidate for nomination as President, and failing in that, accepted the nomination of Vice-President.

Still, however, as no evil will result from my retirement when the circumstances are explained, and as a recommendation of the Executive Committee of some other person—yourself before any other—can be made without difficulty, I rely upon the considerateness of my friends to allow me to excuse myself.

This, dear sir, is a private letter. I am earnestly requested here to withhold my official reply for a short time; and, with some doubt of the expediency of doing so, I shall, in compliance with their wishes, take that course.

With much regard, truly yours,

EDWARD EVERETT.

To the Hon. WASHINGTON HUNT.

(In Senate, May 24th, 1860. African Slave-Trade.)

MR. CRITTENDEN.—I do not rise to prolong this debate for many moments. Here is a case of practical duty, a practical necessity, for providing for a particular case. This bill provides for that and such others as may occur like it hereafter. It meets the exigency of the case in the opinion of those who advocate the measure. We have been led into a debate of indefinite extent as to the power of Congress to prohibit slavery. What are the implied obligations upon us in regard to these captured slaves, and whether the power ought ever to have been exercised by Congress of prohibiting the slave-trade? Those are the questions suggested in this debate, and if pursued, might consume an indefinite period of time. Is it not better, sir, to perform that duty which is right before us, which we can see clearly, which, if we will, we can do completely? Then we may hope to put an end to this sort of legislation. On the other hand, if we wait until we have meditated upon the subject, and have made up our minds upon all the great issues past, present, and future, which have been suggested, and *then legislate*, the present necessity will have passed away, the present duty will have been neglected. This is an urgent duty,—something to be done now. Wait but a month, and you have violated that duty; a portion of the very objects for which you are now called to legislate will have perished, or, what might be

still more touching to our sympathies, they might have created a pestilence among our own countrymen in their vicinity. The senator from Virginia is willing to make provision for this case. This bill does no more. Let us pass this bill. If that meditation to which the gentleman has invited us shall enable us to make a better and wiser provision on this subject hereafter, let us do it; and, in doing it, we can dispense with and annul any provisions of law we make now. The passage of this bill will not preclude us from that meditation and better legislation which the gentleman assures us further experience and reflection may enable us to adopt. I see nothing here but the simple, isolated question between those gentlemen who think that the performance of this duty requires of us not only to land them upon the shores of Africa, but to land them there with a provision that may enable them to reach their homes, and those who think we ought merely to land them upon the shore. This is the only real practical difference of opinion. I cannot agree with either of my friends from Mississippi on this subject. To land them there would indeed be performing our contract to the letter; but we read in the good book that "the letter killeth and the spirit giveth life." To land them upon the naked, barren shores of Africa would be literally to kill them. If you are under any obligation to return them, that same obligation binds you to land them in such a form and manner, under such protection, and with such means of subsistence, as will enable them to reach their homes, and be restored to their former condition and rights, whatever they might have been. That is our duty! I am for performing it "in the spirit," and would much rather go a step too far than to stop one inch short of that measure of justice due to beings situated as they are. I am anxious to close this debate, anxious for the passage of this bill. I want to show a promptness on the part of the American people to fulfill our treaty obligations, and perform the duties which the laws require of us. As to the suggestion that the President of the United States shall be required to have these negroes apprenticed, or hired out for a term of years, and out of the profits arising from this to send them back to Africa, I appeal to any gentleman if he would not prefer to send them back at the public expense than undertake to execute any such theory as that. What!—the President of the United States to be engaged by himself, or through an agent, in hiring out this year and that year, to a good master or a bad master, these poor speechless savages, and out of the miserable gains and profits made from their labor to raise a fund to send them back to the country from which your people have dragged them? That is letting them work their passage back with a vengeance. Is this

sending them back? Sir, I do not want the land to be troubled with them! They are useless to us. We do not want them. Send them back, and get rid of them, and be rid of the sight of the crime our countrymen have committed against our laws. Send them back, no matter what it costs. I wish to be economical in every matter, even in humanity. Economy is a virtue that applies to everything, to the performance of every duty. Let it be done as economically as possible. I think this bill is pretty stringent. It is framed with a view to execute, substantially and fully, our obligations on this subject. I am for it as it is. I will try no such experiment as is proposed by the gentleman from Florida, nor will I consent to give up a single provision that the bill contains. It provides simply and clearly for the existing evil, and for all others like it which may hereafter occur, and saves us the trouble of perpetual legislation on the subject.\*

(In Senate, May 24th, 1860. *Relations of States. Resolutions of Mr. Davis, of Mississippi.*)

Mr. Crittenden.—I understand the question now is on the first resolution. To the substance of that resolution I not only have no objection but I heartily approve it; but in regard to the first part of it I wish to ask a question. It says:

“That in the adoption of the Federal Constitution, the States adopting the same acted severally as free and independent sovereignties, delegating a portion of their powers to be exercised by the Federal government for the increased security of each against dangers domestic as well as foreign.”

Now, taking this in connection with some remarks made by the gentleman from Virginia, Mr. Mason, a few days since, I do not know but that gentleman intended, by the language used here, “the States adopting the same,” to establish a constitutional doctrine upon the subject. I had supposed it was not the purpose of these resolutions to raise that question. I wish, however, to know from my friend from Virginia, if he supposes—”

Mr. Davis.—It will give me great pleasure to answer the senator from Kentucky, and I think probably I can do so most briefly by stating that in 1837 and 1838 this exact question was before the Senate, and was argued by men who have been considered the ablest in our history as debaters, and not only voted upon it but with such concurrence that the minority vote against the proposition was so small as to be scarcely observ-

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\* These short speeches, upon the questions then agitating the country so profoundly, are given here entire.

able. It was admitted to be true constitutional doctrine, and I have borrowed the language from the resolutions of that day.

Mr. Crittenden.—I had the honor to be one of the men who took part in the debate on the resolutions at that time, though not certainly of *that class* to which the gentleman has particularly alluded "as the greatest and best men of the country."

Mr. Davis.—I would include the senator among that class, and the country certainly includes him among them.

Mr. Crittenden.—I did not intend to make any question about it, but to avoid all egotism by saying simply I was there. I know the question was then made. I wanted to ask the senator from Virginia whether he supposed that it affected the character of the government which was established, whether it was done by the *States* or by the *people*.

Mr. Davis.—Oh, yes, materially, I think I will say in the absence of my friend from Virginia. To say that it was a government established by the *States* and not by the *people* is a material distinction.

Mr. Crittenden.—On that question I have a different opinion. It has seemed to me that the Constitution having been made and its obligations acknowledged, it was not the less sacred for having been made by the *States* or by the *people*. It was the same instrument; it had the supreme authority of the United States for its sanction in one form or other. I wished to know whether, in the opinion of the gentleman, holding that it was made by the *States*, they considered it varied the character of the Constitution or the character of the government formed under it?

Mr. Davis.—There is so much confusion in the chamber that I do not know whether I heard the gentleman distinctly or he heard me. The historical fact intended to be asserted here is, that the Federal Constitution was adopted by the *States* severally; that is, the *people* of each *State* acting independently, not by the *people en masse*. It is merely the statement of a historical fact, and intended to guard the *State right* and sovereignty which has never been surrendered.

Mr. Crittenden.—I do not intend to take exception to this phraseology, but only wished to know if the gentleman who had used it intended it as I understood it; that is, as signifying that the Constitution was made by the highest sovereign power in this country.

Mr. Davis.—I say so.

Mr. Crittenden.—Whether made by the *people* through the *States* or by the *States* for the *people*, in my judgment the phraseology is not important. I wished to know if that was also the case in the judgment of others. I am content with it in that sense. My opinion is that it was made by the *people*

of the United States. The States themselves derived their authority from the people. I do not intend to make any argument on this subject, nor to pursue it, much less to enter into a history of the manner in which the Constitution of the United States was formed. My authority is this, the first line of the Constitution: "We, the people of the United States, in order to form a more perfect union, etc., have made this Constitution." Now, sir, I say there is no higher authority than that.

Mr. Mason.—Will the senator indulge me? I was out of the Senate, but I understand the senator has made allusion to me on some question.

Mr. Crittenden.—The inquiry which I made has been answered. I will not press the matter further.

Mr. Davis.—The venerable and distinguished senator from Kentucky,—I use the language towards him which the country has applied to him,—has read from the first line in the Constitution the words, "We, the people of the United States." Our fathers used the word "people" as a collective noun; I use it so. I believe never until the advent of Kossuth did we ever have in this country a plural to that collective noun. Perhaps now if the Constitution were rewritten to express the same idea, it would appear, "We, the peoples of the United States." There it meant simply the people of each one of the United States; could have meant nothing else, because it was done by their delegates and submitted to the States for ratification.

Mr. Crittenden.—Mr. President, I have not participated in the long debate which has arisen on these resolutions, because there was much of it which I did not regard as interesting to the country at large, and from which I was somewhat excluded by the nature of the topics which entered into the discussion. I had nothing to do with the long discussion that has taken place in regard to the proceedings of the Charleston convention. I had nothing to do with the long argument; and vindication, and accusation in relation to Mr. Douglas, his transgressions or his orthodoxy, his fidelity to bargains made with his political confederates or his infidelity to them. I had nothing to do with them. I have said nothing about them. The subject proper for discussion was so ably argued by others that I must really claim for myself the right of adding that my diffidence prevented me from taking a part in the debate. But I have feared that it might appear to others as if I was shrinking from the responsibility of these questions. No such feeling ever influenced me; and I feel now, without any intention of entering into the general argument, disposed to make an explanation of my opinions in regard to the power of the Territories on the subject of slavery (if that must be the topic), always an

unpleasant one to me. And here, in the commencement, let me say that when the Missouri Compromise was repealed, when that established line had been the line of peace to this country for years and years—

Mr. Polk.—Mr. President, it is now late; if the senator wishes to give his views at all at length, I think it due to him that we adjourn.

Mr. Crittenden.—I would not ask it, but I am weary and not well, have been unwell for several days, but I am unwilling to be the cause of delay.

The motion was agreed to, and the Senate adjourned.

Much discussion as to the relations existing between the territorial government and the government of the United States had taken place while the resolutions of Mr. Davis were before the Senate. On the 25th of May, 1860, Mr. Crittenden made a speech on this subject. Nothing but such measures as seemed to promise pacification had any political interest for him. His idea was that a territorial government was a mere creature of Congress, made and fashioned by Congress, with the power it thought proper to confer, and that all powers thus conferred were liable to be resumed at any time, or changed, according to the discretion of Congress. He considered the people of the United States the natural owners of all supreme power. They had delegated a portion of that sovereignty to Congress. Congress, in constituting a territorial government, might grant as much as it pleased of power to govern. If Congress had the power of expelling slavery from the Territories, they might grant even that to the territorial government. The power of the government was invoked in the resolutions of Mr. Davis for the purpose of securing slave property in the Territories. The Supreme Court of the United States had determined that any citizen of the United States might go into a Territory and carry his slaves with him, and hold them there. Mr. Crittenden was of the opinion that the Constitution was bound to protect the property which it had authorized to go. When such property shall require such interposition, it would be the duty of Congress to interpose and grant protection. There was no case *now* demanding interference. The evil in a territorial government was but temporary. He thought there was no case calling for congressional interference now, and none likely to

exist. Kansas was soon to be taken from the class of *territorial governments*, and there would be no question about slaves in Washington, Utah, or New Mexico; the evil was too distant to be the cause of agitation. When, in 1854, the Missouri Compromise was repealed, one of its promised benefits was that the discussion as to slavery would be removed from the halls of Congress and transferred to the Territories,—made a *local* and not a *national* question. The Kansas-Nebraska bill was framed with that view, but the promised effect has not been produced. The effect of that law has been modified by the decision of the Supreme Court. Mr. Crittenden would not say that the law would have warranted the legislature of Kansas in excluding slavery altogether. It was not known whether this was in the power of Congress to grant such a power. The Dred Scott case was then depending. That case now determines that Congress had not the power, and could not of course convey it by the Kansas act. The Constitution, as interpreted by the Federal court, declares that slavery is not a subject of legislation on the part of Congress. Government was the combination of the powers of all to protect the rights, lives, and liberties of each. Slave property must be protected, but unless the case imperiously demanded it, he would be slow to interpose the positive authority of the government,—would try other means. The *salus populi* is at last the great law of nations. The Republican party has made progress, and this beautiful scene of human happiness and peace which our country presents has received its wound from the agitations they have made on the subject of slavery. Moderation is demanded of us all now, on all sides. We are told in the good book, that if we are at the altar, and remember that our brother is offended with us, to go and be reconciled to our brother, and then offer to our Maker the evidence of our devotion. Let us thus act both North and South.

## CHAPTER XII.

1860.

Amos A. Laurence to Crittenden—Everett to Crittenden—Senate—Oregon War Debt—Pension for Mira Alexander—Letter to Smallwood and Bowman—Washington Hunt—Mr. Crittenden to his Wife—Senate—President's Message—George Robinson to Crittenden.

(Amos A. Laurence to J. J. Crittenden.)

BOSTON, May 25, 1860.

MY DEAR SIR,—If you had allowed the convention at Baltimore to nominate you for President, it is possible that we might have stirred up some enthusiasm here in favor of the ticket. That appeared to be the only course if we aspired to any degree of success; but, from what has transpired since, I think you may be congratulated upon having avoided so trying a position. If Mr. Bell could see how difficult it is for us to make even a respectable opposition to the enthusiasm of the Republicans, he would cease to look in this direction for available support. Circumstances may change this, but so it stands now all through New England. The whole public sentiment which appears on the outside is in favor of "*Old Abe*" and his split rails. The ratifical meeting here last night was completely successful. Faneuil Hall was filled and the streets around it. Meantime we have not found the material for a meeting at all, except in collecting a crowd of boys to hear one hundred guns fired on Boston Common. In addition to this we have the weight of Mr. Everett's indecision about accepting the nomination, and it appears probable that he may decline at last. The intelligent conservative men, the great merchants and manufacturers, express great satisfaction at our nominations, and always add—*it is of no use*. They avoid politics altogether, except to vote; some refuse to do that. All this is discouraging, and I would not write it to any one but yourself, nor would I do *that*, except that I presume you desire to know the real facts. We have no idea of *surrender* in any contingency.

With great respect and regard, yours truly,

AMOS A. LAURENCE.

Hon. J. J. CRITTENDEN.

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(Amos A. Laurence to J. J. Crittenden.)

BOSTON, May 26, 1860.

MY DEAR SIR,—Had I known when I wrote you yesterday that you had a design of coming here, I would not have said a word of our present condition. In fact, it has been impossible not to believe that there would be some interposition to save us from an inglorious defeat. Now that there is a prospect of your coming to Massachusetts, I see almost a providential way of escape. If you do come, the whole aspect of the campaign will be changed in this section. You will have a welcome such as no other Constitutional Union man can receive. You will see old Faneuil Hall packed from top to bottom. The inert mass of conservatism here in Massachusetts will be stirred into life and hope. You will see exactly the difference between yourself and Mr. Bell as a popular leader. Therefore we all earnestly hope you will come.

It would be a great source of gratification to myself and my family if you and Mrs. Crittenden would make your home at my house while you remain here. I live a short distance from the centre of the town, enough to give you quiet when you want it. It will be easy to arrange for you to receive company in town at appointed hours if you wish to do so; and, in fact, you will be forced to see our people if you come. They will not let you off.

But if you choose to be in the town, you will have a great choice of hosts. I will not urge you, except so far as to provide for your greatest comfort.

With respects to Mrs. Crittenden, I remain faithfully yours,

AMOS A. LAURENCE.

Hon. J. J. CRITTENDEN, U. S. Sen.

(Hon. Edward Everett to J. J. Crittenden.)

BOSTON, May 28, 1860.

MY DEAR SIR,—I have, this morning, received the letter of the 25th, signed by yourself and other friends at Washington. I have not time to-day to reply in a proper manner to the principal suggestions in the letter; but there are one or two statements on which, in justice to myself, I must at once make a few remarks. You say that my "nomination was made without any intimation that it would be accepted." It is certainly true that it was made in a manner which, though highly flattering to me, rendered any explanation at the time difficult, if not impossible. Mr. Hillard, however, did state that he was not authorized to accept it on my behalf, and if there had been opportunity for full explanation would, no doubt, have added that he had a letter in his pocket, in which I requested that if

my name was brought forward as a candidate it might be withdrawn.

You observe that the nomination has been published to the whole country for a number of weeks, without any dissent on my part brought to your knowledge or that of the public. On the day on which I received Governor Hunt's communication, I met, on my accustomed evening walk, the Honorable George Lunt, editor of the Boston *Courier*, and told him I was meditating an answer declining the nomination. He begged me to reserve it till I could hear the opinions of friends. On the 14th I wrote the letter addressed to Governor Hunt, of which a copy is inclosed. I addressed it to him at Lockport, but have received no answer. I have some reason to fear that it was misdirected.

You state that not only yourself but the whole country was authorized to hope that the nomination was already informally accepted. I have from other sources been informed that statements were made at the convention that I would accept a nomination; but I assure you they were made without the slightest authority from me.

You express the earnest wish that I would, at an early day, in a formal manner, accept the nomination. In a letter from Mr. Gilmer, of the 24th, he requested me, "if I have said nothing yet, to withhold my answer a few weeks.

I remain, dear sir, in great haste, sincerely your friend,

EDWARD EVERETT.

P.S.—As this is a private letter addressed to you, allow me to observe that the letter of the 25th, headed by yourself, is in some portions a letter less kindly in its tone than I could wish. My friends here think me entitled rather to sympathy than implied rebuke.

To the Hon. J. J. CRITTENDEN.

(J. J. Crittenden to Hon. Edward Everett.)

WASHINGTON, May 30, 1860.

MY DEAR SIR,—I received, last night, your letter of the 28th inst., and I extremely regret to find that you think our late letter to you "less kindly in its tone" than you could wish.

I pray you, my dear sir, not to allow any unguarded expression in that letter to give you the slightest displeasure. I am sure it was furthest from the intention of its signers to say anything offensively or rebukingly to you. Whatever may have that tone or appearance I beg you to attribute to the great earnestness with which they desired that your name should continue to add dignity and popularity to their party or their ticket. I had no knowledge of any intention to address you at

all. When the letter, signed by three gentlemen, was handed to me in the Senate for my signature, I perused it hastily, and waiving some diffidence which I felt about the propriety of our urging or addressing you at all on the subject, I united with our friends in affixing my name to their letter to you.

I have read with interest and care your letter to me, and also the copy which you were pleased to send of your letter to Governor Hunt, and it is made clear that you were under no *commitment* whatever to accept the nomination made by the Baltimore convention, however desirable it may be to others that you should accept.

Your character gives assurance to the country that your conduct on this occasion, whatever it may be, has been well and patriotically decided upon. And I will only add, sir, that whatever disappointment it may cause, your course—be it what it may—shall be acceptable to me.

I am, etc.,

To the Hon. EDWARD EVERETT.

J. J. CRITTENDEN.

(In Senate, May 30, 1860. Oregon War Debt.)

Mr. Crittenden.—I wish to inquire of the honorable senator when this war terminated, and, if he will permit me to add another question, I wish to know of him what was the military force of the United States army at that time in the Territory.

I have, Mr. President, the most full and entire confidence in all statements made by the honorable senator from Oregon; and I can say, furthermore, that I desire that every man who rendered service on the occasion should be paid to the last cent, without further inquiry into the cause of the war. According to this bill, four hundred thousand dollars has been estimated as necessary to be appropriated for the payment of these troops for their personal services. That is the sum intended to cover the whole of that claim. Then we come to another article of appropriation, "For the payment of supplies, transportation, personal services, three millions." This is a very extraordinary disproportion between the payment made to men for services and that which remains to be paid for supplies and transportation. I can well imagine that provisions were dear at that time in a new country, but, I confess, it seems to me that three millions to supply four hundred thousand that are employed in the payment of the troops is a very exaggerated sort of a bill.

I remember, in past times, an expedition of as much public consequence, and apparently as costly, where the transportation was not half this amount. Upon proclamation of old Governor Shelby, during the last war, three hundred Kentuckians were assembled from every part of their State, at Urbana, in the State

of Ohio. In twenty days they were to march clear across our whole country over into Canada, and *they did so*. My friend, Dr. Mitchell, who was the Surgeon-General of the army at Urbana, applied to Governor Shelby for transportation for the medicine. The old governor smiled at him. "A wagon and team to carry medicine, do you say, sir?" "Yes, sir; I want a wagon to carry medicine." "In all my life," said the old governor, "I never heard of such a demand." Though a good Presbyterian, I confess he did swear a little in time of war; but his oaths were all patriotic, every one of them. He swore he would allow no such thing. He would not put the United States to that sort of expense for medical stores. He would have nothing to do with a doctor who would not carry his own medicines. So the excellent and worthy Surgeon-General of the army had to find ways and means to carry his own medicines. Now, I can but think, if there had been a little of that kind of firmness and hardihood in the present instance, less than three millions would have been found sufficient. I cannot conceive what could have been carried along to make a bill of three millions to supply a number of men whose services four hundred thousand dollars would pay for. I do not know how such an amount could be mustered up in such a country. The campaign did not last more than a year. It commenced in the fall of 1856, and in October of the next fall you had commissioners of peace there settling accounts. In one single year, with an army of militia,—mind you, this does not include the regular troops, or their services, or their supplies,—in this one year, to supply a little army furnished by a Territory then in its infancy, three millions were required. My friend, Mr. Davis, says "there were two Territories." I reply, yes, one Territory which had been made into two. That does not vary the matter, I suppose, much. I shall not oppose this bill; but I trust that in the settlement of the accounts by the officers of the treasury, due attention and scrutiny will be paid to all these matters. We must pay, and I want to see the last cent that is due paid; but I rose to express my astonishment at this enormous amount for transportation. My old friend from Oregon recollects the time when an Indian war was not so much dreaded. An Indian war was considered a thing which brought expense and bloodshed on the settlers. Why it is that our people, as soon as they get to the Rocky Mountains,—the same men as their brethren on this side,—cannot have a little Indian war now and then without putting the government to the expense of three millions for transportation only, is to me matter of great surprise. War is a costly luxury,—indeed a **very** costly one. These little Indian wars, as they become rare as the Indians become fewer

and less warlike than of old, begin, like other rarities, to rise in price, and the cost, even of a short indulgence, seems immeasurable. I venture to say, that the transportation of the army that was marched to the river Thames, in Canada, did not amount to twenty thousand. The War Department will confirm this. We marched ourselves along. Many a man, for days, carried his provisions in his pocket. Old Shelby would not allow a wheel-carriage for the medicine-chest,—he thought we got along well without it; and he even intimated to me, privately, that he thought the doctors brought diseases with them, for he had marched troops across Alleghany Mountains for hundreds of miles to the mouth of the Kanawha River—where the great battle was fought with the Indians—and back again, without a doctor, and not a man was sick. [Laughter.] I think the old gentleman was strong in this opinion.

But, sir, I will not go back to those old heroic times. I suppose those men were pretty much like the men of the present time, except in one thing, and that is in their expenses. I am willing to pay the debt,—to pay for the fighting, for the feeding. That is a clear account, easily settled; but, at this rate, I should suppose the soldiers might have been maintained like princes, and have gone to battle in carriages. [Laughter.] Let us hope the accounting officers will do their duty. I do not intend to debate this subject further. I rose to express my surprise at the enormity of the amount. In order to show that I had some reason for my surprise I referred to other cases that have come within my knowledge. I know nothing of the other side of the Rocky Mountains, or of the Indians there; how warlike or unwarlike they may have been; but when my friend Mr. Davis talks of the difference in the character of the Indians on the other side of the Rocky Mountains, and the warlike Indians who lived on the other side of the Ohio, I think he is greatly mistaken if he gives any superiority to the Rocky Mountain Indians,—a poor race, without heroism, without the brave endurance of the Indians of Ohio. They were the most warlike that ever existed on this continent, according to all history and all tradition. It was not to those little skirmishes with twenty or thirty men, pursuing roving bands of depredating Indians, I alluded. For *that* there never was any payment. The government of the United States never heard of them. They were paid for at the expense and in the brave blood of the men themselves. But there were other campaigns. Was the campaign of Tippecanoe a little skirmish? Were the campaigns under Scott and Wilkinson little skirmishes? Was the battle of the Blue Lick a small affair? California and Oregon never saw such Indian battles as these, and I hope they

never may. They were fought by volunteers, and the government never paid one dollar. There was no one present but the settlers of the country, and nearly one-half of the population of men perished on that day in that battle. Were these little skirmishes in comparison to what they have had in Oregon? No; they were dreadful and bloody battles, fought hand to hand. I mention this battle with reluctance, because on that day the white man had to fly before the Indian, leaving half his numbers behind. I do not contend that these cases are exactly parallel, but the question waked up reminiscences. I am anxious that every man who serves his country shall be paid for it, and enormous as the bill seems, I shall vote for it. I intended to confine myself to perhaps a very idle expression of my astonishment, and to declare that an Indian war which was once a sort of sport to our countrymen, is now a costly luxury, and I think its indulgence should be as much *limited* as possible. I think we should have something to do with making the wars, if we are to pay for them, and judging for ourselves what force is necessary to resist and repel them. Mr. Davis supposes there were about fifty men at the battle of Blue Licks; there were four or five hundred.\*

(Edward Everett to J. J. Crittenden.)

BOSTON, June 2, 1860.

MY DEAR SIR,—I have your letter of the 30th, and I am much obliged to you for its kind expressions and friendly tone. The doings of the meeting at Faneuil Hall last evening will, I suppose, preclude the necessity of dwelling on the causes which led me to hesitate in accepting the nomination, and will make it unnecessary for me to reply formally to the letter of the Executive Committee of the 25th. Being in the country, I was not able to attend the meeting. I judge from the report in the *Courier* that it was eminently successful, and the character of those who acted as officers and took part in the proceedings is such as to give them all weight in the community. My only regret is that I must, for a time, creep out of the shell into which I had withdrawn; and yet, not my only regret, for I must add, with all frankness and with entire regard for Mr. Bell, that if it was necessary my name should be used, I should have preferred that it had been *under your lead*, as the acknowledged *head* of the Constitutional party. I remain, dear sir, with the greatest regard and sincerity,

Yours,

EDWARD EVERETT.

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\* Speech given entire.

(In Senate, June 8th, 1860. Mira Alexander.)

Mr. Crittenden.—Mr. President, this lady is a daughter of George Madison, of Kentucky, and a man that every Kentuckian is well acquainted with who knows anything of the history of his State. George Madison grew up at the close of the Revolutionary war, and had the honor of firing some of the last guns on that occasion. He went to Kentucky,—then the seat of Indian warfare,—and was one of its earliest pioneers and settlers; he took part in all the Indian wars—was shot through by an Indian—was always fighting where fighting was to be done. In St. Clair's defeat, he had an arm broken and fell from exhaustion and loss of blood upon the field, and was borne off by a poor, faithful, and attached Irishman. After recovering, he was engaged in the war of 1812. At the battle of the River Raisin, his battalion was the only one that maintained its ground, having the benefit of a little picket surrounding a garden. There he stood firm. While the Indians were gone in pursuit of the flying troops, he proposed to his men to leap the pickets and with his raw militia to charge the regular British troops. Naturally feeble in constitution, he had not strength to execute this himself, and it was not done. He was taken prisoner and carried to Montreal in the depth of winter, and from there to Quebec, and, because of some retaliations then going on between the two countries, George Madison was put in prison and kept there some time; was at last exchanged and got home to Kentucky. At the first election of governor after his return, nobody would satisfy the people but George Madison. He had, however, returned fatally diseased; just lived to be elected and take the oath of office; never entered upon his duties; *he* died leaving this girl, his only surviving child. She married a gentleman of great respectability, who shortly afterwards was caught in the machinery of a mill and torn to pieces, leaving her a widow. About fifteen years ago, her sight began to fail, and for ten years she has been blind; her children have grown up,—some of them have not been successful in life; she is poor, she is blind; she is the daughter of the man I have described to you, who was as well known to us as any man now present; he was gentle as a woman, as brave as Julius Cæsar or as my friend here, Mr. Davis. If George Madison's death in his country's cause does not give him a claim upon you, I do not know what man under God's heaven is entitled to rewards for services. *He* never asked aid from you; his daughter, in her blindness and her want, asks for it. I hope the Senate will pass the bill. I have no more to say.

(In Senate, June 22d, 1860. Bill for the relief of Robert Johnson.)

Mr. Crittenden.—It does not seem to me that this bill ought to pass. If I recollect the laws in reference to this matter, there had been no opportunity to refer to them ; they forbade the assignment. It was foreseen that the needy soldier would dispose of his claim upon the government for a trifle. Here the sale was made before the warrant was issued. Very possibly the ignorant soldier did not understand what he was doing. Under these circumstances, a speculator steps in, pays him full price—for what? Not for the land—that was not granted—but for the discharge. I do not see that we should recognize such a transaction. Leave this, gentlemen, to the law of Congress. If we interpose at all, it ought first to be upon an inquiry made whether justice has been done to the soldiers. We ought not to step in upon an *ex parte* statement of the speculator and sanction his speculation. I call it a speculation, not that I know anything about the contract, but I infer it from the character of the parties. One is a banker, a rich man, a capitalist in a great city ; the other is a poor soldier, just returned from the wars, and he sells, not a definite thing which he has in his hand, a warrant for land, but he sells his discharge. When the assignee comes with that discharge in his hand to the department, it will not command a warrant ; he is not entitled to have one merely upon that ; but in this state of the case we are to interpose and give him the title to demand a warrant. We not only interpose on the wrong side but we interpose for a wrong purpose. There is, to be sure, a reservation of the claim of the soldier, a provision that if he shall ever come forward, he may impeach and question this transaction. But, sir, with whom is he to question it? He is to question it with the man who holds the legal title to his bounty-land, and he is obliged to make proof of the fraud. The burden of proof rests on him. If these warrants are to issue, let them issue in the name of the soldier, and then you give the soldier the defensive position, and those who claim his warrant will have the burden of proof. Is not that course infinitely more just? I think it is, and we are thus taking the side of the poor and ignorant,—such, from their classes, I infer them to be, and that is the only ground on which I would interpose.

I simply wish to call this bill to the attention of the Senate. I have never known such an application before, nor can I see that the simple purchase of a soldier's discharge is a purchase of his bounty-land. Can you say it is? Gentlemen should consider that. This discharge may be the evidence upon which the man may entitle himself to pay. His name is on the roll ; but to identify him is the thing. He is best identified by the

possession of his discharge. What did the soldier sell? By the terms it does not appear that he sold his bounty-warrant. I do not doubt at all the perfect sincerity of the senator from Oregon, and his sympathy with the soldier. It is natural that he should have that sympathy; it is in consonance with his character. But why does he believe that this transaction was so entirely fair? Is it upon the evidence submitted to Congress? Was it ever known that a party who made such a speculation was not very careful that the writings should be properly, carefully, and critically drawn? Shakspeare has said that "the world's law is not the poor man's friend," and I say, with as perfect certainty, that whenever a written contract is made between the poor soldier and a banker upon such a transaction as this, the paper will be sure to read against the soldier, and show a fair contract on the part of the banker. He is a poor speculator who does not see to this. Why not go on and issue these patents in the name of the *soldiers*, and then let this claimant go before a court of equity on these papers, and ask them, on an examination of the case, and an establishment of an equitable title, to convey the land to him? He has a fair legal remedy. Why should Congress interpose to take a judicial cognizance, as it were, of this case, where the rights of two parties are concerned and one party only is heard? Why should we take this case and place ourselves in the seat of judgment of the judiciary and decide, *ex parte*, that the patent for this man's land shall go to another, leaving him a merely nominal right to impeach the transaction in a court of equity? You may just as well defer it to the sound of the last trumpet, when all men shall appear at the judgment-seat, to make his claim.

Sir, there is a plain legal remedy. This gentleman can apply in the name of the soldier, and on the establishment of his claim the patent will issue to the soldier, and then (if his claim be a fair and equitable one) he can, by a suit in equity and the production of this contract, and after both parties shall have been heard by the chancellor, get a decree. There is nothing more just and plain than that this man ought to be left to his legitimate rights before a court of justice, and that Congress ought not to interpose in favor of a claim accompanied by so many circumstances that justify and warrant suspicion. We should not take the place of a court of justice.

(J. J. Crittenden to W. M. Smallwood and John P. Bowman.)

W. M. SMALLWOOD, JNO. P. BOWMAN, Esqs.

GENTLEMEN,—I have had the honor to receive your letter of the 22d of August last, inviting me, in the most cordial and flattering terms, to visit you at the city of Lexington, Lafayette

County, Missouri, for patriotic counsel (in relation to the approaching presidential election), for social reunion, and to share the hospitality of your homes and hearts.

I thank you, my friends, for the expression of your approbation of my public conduct, and of your undiminished confidence in me. These are the rewards that are dearest to my heart, and if I can carry such with me into that retirement whither I shall soon most willingly go, little will I care for the loss of office, its vanities or flatteries.

I agree with you that the state of our public affairs is gloomy, and that it is not easy to find the path of duty through that conflict of parties in which our country is now involved,—parties, some of which seem to be at war not only with themselves, but with the country and the Union. Two fatal symptoms mark the character of two of the presidential parties that now agitate the country,—sectionalism and disunion. The one indirectly, the other directly, endangering the dismemberment of the United States. I mean the Northern party, supporting Mr. Lincoln, and the Southern party, supporting Mr. Breckinridge.

The party supporting Bell and Everett is fairly indicated by the name it bears,—the Constitutional Union party. It has arisen out of the troubles and dangers of the country, and for the protection and preservation of our institutions, shaken by the dangerous controversies of collisions of the North and South. This is, in my judgment, the party that is safest and most conservative; and I think its candidates, Bell and Everett, from their position, as well as from their high qualifications and characters, afford to the country the best prospect of security and peace. They will, therefore, have my support, though I admit that the party supporting Mr. Douglas is entitled to be regarded as national, and that he himself has shown a patriotic devotion to the Union. Still, as he and his supporters are engaged in the hottest of the present party warfare, we could not expect from his administration of the government as much tranquillity as would be assured to the country by the administration of Mr. Bell, who would come into office without those fierce excitements through which Mr. Douglas, under existing circumstances, can alone reach it. Good men now fear for the peace of the country and for the union of the country. The election of Bell and Everett will most effectually quiet all those apprehensions; and it therefore seems to me to be our duty to support and vote for them.

By the cordial and generous character of your invitation, you have made it almost impossible to decline. I cannot say no to it. I must accept it, and, notwithstanding all obstructions, I

must endeavor to comply with it; but in candor I must qualify my acceptance.

Before your invitation, I had received another very kind and cordial one to attend a great mass-meeting and convention of the friends of Bell and Everett, at St. Joseph, on the 4th and 5th of October next.

I had then, as I have now, so many previous engagements of the like character on my hands in the State of Tennessee, that I was at a loss to know whether I should have either time or strength to go to St. Joseph by the day appointed; I concluded, however, in my anxiety to comply with their wishes, that I would accept their invitation, and by a great effort get through with my other previous engagements in time to comply also with my invitation to St. Joseph. I wrote to them to that effect, a few days ago, stating my previous engagements, and the difficulties in my way, but promising to make every effort I could, and to be with them, if possible, at their meeting, and that I hoped to be able to accomplish it all.

Before my answer to their invitation, I had received yours, and in answering them I was influenced by both invitations, for if I could go to St. Joseph to see them, I would, of course, go to Lexington to meet you. This is all that is possible for me to say at present.

Yours respectfully,  
J. J. CRITTENDEN.

(Washington Hunt to J. J. Crittenden.)

LOCKPORT, N. Y., Sept. 3, 1860.

MY DEAR SIR,—You will see what we are doing in this State. Our effort is to unite the national men sufficiently to take New York from the Republicans. We feel some confidence in our ability to effect this result; but it is to be a very severe and trying conflict. The presidential problem is reduced to a single point. If the vote of this State can be turned against Lincoln and Hamlin, they are defeated; otherwise, in all human probability, they will be elected. This gives a peculiar importance to the canvass here. It is the battle-ground, the turning-point in the campaign. Therefore we deem it of the greatest consequence that you should "come over and help us." I know it is asking a good deal, but your patriotism, so often tested, will, I trust, prove equal to the emergency.

Our people want to hear your voice. They want to display their feelings of love, veneration, and gratitude towards you. We will put no heavy burdens upon you. Even one speech from you in favor of "union, for the sake of the Union," may

turn the scale in New York, and thus insure the election of Bell and Everett. You may consult your own convenience as to time and place. We are to have a mass convention in Albany about the 1st of October (probably the 3d), and your presence there would be most desirable. If you can come earlier, and speak at other places, it will be better still. We would not overtax your strength. Only come within our borders, and you may choose your own time and place. I would not be importunate, but I must make an earnest appeal. If you decide that you will come, please give me an early answer, and I will also ask you to notify Brooks, in New York, that the fact may be promptly announced. Much of my time, during this month, will be spent away from home, on a tour through the counties. The Republicans are alarmed, and very ferocious towards me personally; but I meet them in the spirit of knightly defiance. The path of duty appears plain to me in the present crisis, and I am not afraid to pursue it. My faith is strong that Providence will smile on our efforts, and deliver the country from peril.

I remain, dear sir, faithfully and truly yours,

WASHINGTON HUNT.

P.S.—Our friends in New York city are anxious to have you at the great Union meeting there on the 17th. If you can come in time, that is the occasion of all others for you to speak. It is proposed that General Scott preside, and I think he will consent.

To the Hon. J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

NASHVILLE, Tuesday, Sept. 24, 1860.

MY DEAR WIFE,—I am here; have been received in this city in the most distinguished manner; have been honored and welcomed as if I had been twenty Presidents. I spoke to-day to a great audience, and am *not* dissatisfied with the speech I made. I believe my audience was well pleased. There was applause from the crowd and from individuals. I have since received many compliments. That, however, only proves their politeness. But the trials of the day are over, and I am now in Mr. Edgar's study writing this letter to my dear and charming wife. Your two letters were received last evening. I see that you have been disappointed in your expectation of letters from me. I could not help it. I have been so continually occupied, writing was impossible. I thought with regret of the disappointments I should occasion you; but this is nothing more than a *fair* requital for your not coming with me. Everybody asks *why* you did not come, and I, injured man as I am, make the best excuse I can for you. I have seen but little of the

ladies; visited none of them; shall commence this evening. Mrs. Bell is all kindness and compliment; so is Mr. Bell, and *in all sincerity* I do believe. He came to Bowling Green yesterday morning to meet me, and accompanied me to this place; was seated with me in the carriage of state, in which I was drawn through the city in the midst of the multitudes, the military, the music, the banners, and shoutings. Upon the whole, I have been *what is called a great man for two whole days*, besides having a grand dinner yesterday at Mr. Edgar's.

I shall have a great deal more to write to you to-morrow; so farewell, dear wife. Yours,

J. J. CRITTENDEN.

Mrs. E. CRITTENDEN.

(General Scott to J. J. Crittenden.)

NEW YORK, Nov. 12, 1860.

MY DEAR CRITTENDEN,—You are right in supposing that I have not rested supine during this alarming state of our Union. A copy of the accompanying circular would have been sent to you earlier, but that I supposed it might pass you on your way here. It has been widely scattered over Virginia, indorsed, "If Virginia can be saved from secession, *she* may save the Union." My suggestions seem to have no good effect at Washington; in other words, I have had no acknowledgment from either the President or Secretary; nor has a single step been taken. I am sorry that you will not be here on your way to Washington. *I* do not expect to be there before the 15th. In the mean time, the Union is at the mercy of the President elect, even before his inauguration; that is, his silence may be fatal, whereas it is probable that his inaugural will be soothing, if not perfectly satisfactory, to the South. It is the common hope here that Mr. Lincoln may call into his cabinet some two or three of the following persons, with proper assurances to them of good intentions: Crittenden, Bell, Rives, Badger, Stephens, Bates, Everett. With sufficient assurances, it is the opinion of all conservatives that neither of those statesmen *ought* to decline. My circular may be wrong about the affinities of Kentucky and Tennessee, but I think not.

We have lost our friend Carneal, and I hear nothing of our friend Burnley. Kind regards to him and Letcher. To my excellent friend Mrs. Crittenden I would send my love, but I fear you are too niggard to deliver it.

Always yours, most faithfully,

WINFIELD SCOTT.

(In Senate, December 4th, 1860. President's Message.)

Mr. Crittenden.—Mr. President, I regret that the honorable senator from North Carolina, Mr. Clingman, has thought proper to make the speech which he has just addressed to the Senate. I did hope that we had all come together upon this occasion duly impressed with the solemnity of the business that would devolve upon us, duly impressed with the great dangers that were impending over the country, and especially with those dangers which threaten the existence of our Union. That was the temper in which I hoped we were now assembled. The gentleman has scarcely uttered a sentiment or an opinion in which I do not disagree with him,—scarcely one, sir. I have hopes of the preservation of the Union under which I have so long lived; I have hopes that that Union, which was the glory of our fathers, will not become the shame of their children. But I rise here now, sir, not for the purpose of making a speech, and I shall abide by my purpose. I wish the gentleman had maintained his purpose, having said he did not rise to make a speech. I rise, sir, only to express the hope that the bad example of this gentleman will not be followed, and that we will not allow ourselves now to be involved in an angry debate. We had better not be here at all if that is our purpose. If we have not come here to give a deliberate and a solemn consideration to the grave questions which are thrust upon us, we are not fit for the places which we occupy. This Union was established by great sacrifices. The Union is worthy of great sacrifices and great concessions for its maintenance. I trust there is not a senator here who is not willing to yield and to compromise much, in order to preserve the government and the Union. I look forward with dismay and with something like despair to the condition of this country when the Union shall be stricken down and we shall be turned loose again to speculate on the policies and on the foundations upon which we are to establish governments. I look at it, sir, with a fear and trembling that predispose me to the most solemn considerations I am capable of feeling; to search out, if it be possible, some means for the reconciliation of all the different sections and members of this Union, and see if we cannot again restore that harmony, that fraternity, and that union which once existed in this country, and which gave so much of blessing and so much of benefit to all. I do hope we shall not now engage in any irritating or any angry debate. Our duties require of us very different dispositions of mind, and trust none of us will allow ourselves to be provoked or, by any inadvertence, involved in angry discussions now. Calm consideration is demanded of us,—a solemn duty is to be performed; no invectives to be pronounced, no

passions to be aroused, no wrongs to be detailed and aggravated over and over again. Let us look to the future, let us look to the present, only to see what are the dangers and what are the remedies, and to appeal for the adoption of these remedies to the good feeling of every portion of this House. In this way only can we arrive at peaceable and satisfactory conclusions.

I will not now allude further to any of the questions which the gentleman has presented. I shall not discuss the point whether Mr. Lincoln's election be, or be not, a good cause for resistance. I tell you, there is at least diversity, great diversity, of opinion, which should make us regard this as a question for grave consideration. We have parties, we have divisions, in Kentucky, but I do not believe there is a man in the State, of any party, who agrees with the gentleman on these questions. We are all a Union-loving people, and we desire that all these difficulties and dissensions may be healed, and a remedy applied to all the grievances of which we have a right to complain. What we desire is a restoration of peace and tranquillity. I hope, judging from the general character of my friend from North Carolina, and from the noble character of the State which he represents here,—a great State, which, while exhibiting the firmness that belongs properly to her, has always carried the olive-branch in her hand, and has taught peace, harmony, and union,—I hope from my friend that, on consideration and calmer reflection, he will unite with us in as true a spirit of union and devotion to the country as any other patriot. I will waive any remarks I might have been disposed to make on the message. I do not agree that there is no power in the President to preserve the Union. If we have a Union at all, and if, as the President thinks, there is no right to secede on the part of any State (and I agree with him in that), I think there is a right to employ our power to preserve the Union. I do not say *how* we should apply it; under what circumstances we should apply it,—I leave all that open. To say that no State has a right to secede, and that it is a wrong to the Union, and yet that the Union has no right to interpose any obstacles to its secession, seems to me to be altogether contradictory. As to the resolution referring the President's message to a committee of thirteen, I have not a word to say,—it presents no subject of debate. It is important to avoid premature debate on this subject, however interesting it may be. We are in danger of collisions produced or excitements created. I wish to see the Senate, as I wish to see each one of us, observe calmness, and coolness of judgment, to act upon the specific measures which will so soon be presented to us for action. I hope that, without further

delay, we shall take the question. I surrender my right to debate it.

(Hon. George Robertson to J. J. Crittenden.)

WASHINGTON, December 16, 1860.

MY DEAR SIR,—I should have written to you sooner, but I did not see B. till a few days ago, and then found that the result of his conference was indefinite and unsatisfactory. When he told Lincoln that, to *save* the Union and illustrate his own fame, he ought to organize a *national* and *representative cabinet*, consisting of *three* Southern Union men of good character, and *four* moderate Republicans, the reply was, "Does any man think that I will take to my bosom an enemy?" This he, *on remonstrance*, qualified by saying, "*any man who voted against me.*" B. argued and illustrated for two hours, Lincoln being silent, and only saying at the close, "I thank you for your counsel." B. left him with some hope that he would follow his counsel, but with the impression at the same time that he was rather *ultra* in the Republican faith. I had not doubted that his course would be substantially as B. advised, because there is nothing practical and unsettled on the question of slavery; because *Lincoln* can do nothing with it; and because his interest and duty plainly dictate a prudent abstinence and a magnanimous nationality, but the inclosed scrap *squints awfully* the other way. If he pursues the course therein indicated, I apprehend that our border States *cannot be held*. Does he suppose that Ed. Bates and Cash. Clay will be accredited by those States as their representatives? We would all prefer a Northern cabinet, and a *sectional* administration,—*President, Vice-President, and all*. Kentucky would feel insulted at having forced on her as *her organ* a *citizen* over whom she would even prefer *Seward*.

If the South could know that *Lincoln feels*, and *will act*, as this scrap indicates, she would believe that there is some subterranean design to wage an exterminating crusade against her by all the power and patronage of the incoming administration, and they would certainly (though I would not help) go out unanimously, and either unite in a Southern organization, or the planting States into a Southern, and the border States (including, perhaps, the Northwest) into a central, republic,—which last, in the event of a sectional dissolution, I would prefer. But if *Lincoln will*—as I always till lately believed he would—*adopt* and *adhere to* a truly national and constitutional programme, and follow in the footsteps of Washington, as the President not of a faction but of the nation, not as the proscriptive leader of a *spoils-band*, but as the father of his whole country, I feel a tranquil assurance that the Union will be ultimately safe. A large majority of those who elected him would approve his

patriotic course, and even the ambitious leaders *ought to see* that their own welfare would be promoted by it. *On the opportune solution of the preliminary problem* hangs, in my opinion, *the fate of the Union*. Governor Letcher is very ill, scarcely a hope of his surviving many days.

Yours, with respectful salutations,  
Hon. J. J. CRITTENDEN. ' G. ROBERTSON.

## CHAPTER XIII.

1860-1861.

In Senate, Compromise of the Slavery Question, December 18, 1860—Crittenden Compromise Resolutions—Letter from General Dix—Letters from Everett, E. Whittlesey, Winthrop, Laurence—In Senate, adopting Crittenden Compromise.

(In Senate, December 18, 1860. Compromise of the Slavery Question.)

**M**R. CRITTENDEN.—I am gratified, Mr. President, to see, in the various propositions which have been made, such a universal anxiety to save the country from the dangerous dissensions which now prevail; and I have, under a very serious view, and without the least ambitious feeling whatever connected with it, prepared a series of constitutional amendments, which I desire to offer to the Senate, hoping that they may form, in part at least, some basis for measures that may settle the controverted questions which now so much agitate our country. Certainly, sir, I do not propose now any elaborate discussion of the subject. Before presenting these resolutions, however, to the Senate, I desire to make a few remarks explanatory of them that the Senate may understand their general scope.

The questions of an alarming character are those which have grown out of the controversy between the northern and southern sections of our country in relation to the rights of the slaveholding States in the Territories of the United States, and in relation to the rights of the citizens of the latter in their slaves. I have endeavored by these resolutions to meet all these questions and causes of discontent, and by amendments to the Constitution of the United States, so that the settlement, if we can happily agree on any, may be permanent, and leave no cause for future controversy. These resolutions propose, then, in the first place, in substance, the restoration of the Missouri Compromise, extending the line throughout the Territories of the United States to the eastern border of California, recognizing slavery in all the territory south of that line, and prohibiting slavery in all the territory north of it; with a provision, however, that when any of those Territories, north or south, are formed into States, they shall then be at liberty to exclude or admit slavery as they please; and that, in the one case or the other, it shall be no objection to their admission into the Union.

In this way, sir, I propose to settle the question, both as to territory and slavery, so far as it regards the Territories of the United States.

I propose, sir, also, that the Constitution shall be so amended as to declare that Congress shall have no power to abolish slavery in the District of Columbia so long as slavery exists in the States of Maryland and Virginia; and that they shall have no power to abolish slavery in any of the places under their special jurisdiction within the Southern States.

These are the constitutional amendments which I propose, and embrace the whole of them in regard to the questions of territory and slavery. There are other propositions in relation to grievances, and in relation to controversies, which I suppose are within the jurisdiction of Congress, and may be removed by the action of Congress. I propose, in regard to legislative action, that the fugitive slave law, as it is commonly called, shall be declared by the Senate to be a constitutional act, in strict pursuance of the Constitution. I propose to declare that it has been decided by the Supreme Court of the United States to be constitutional, and that the Southern States are entitled to a faithful and complete execution of that law, and that no amendment shall be made hereafter to it which will impair its efficiency. But, thinking that it would not impair its efficiency, I have proposed amendments to it in two particulars. I have understood from gentlemen of the North that there is objection to the provision giving a different fee where the commissioner decides to deliver the slave to the claimant from that which is given where he decides to discharge the alleged slave; the law declares that in the latter case he shall have but five dollars, while in the other he shall have ten dollars,—twice the amount in one case than in the other. The reason for this is very obvious. In case he delivers the servant to his claimant, he is required to draw out a lengthy certificate, stating the principal and substantial grounds on which his decision rests, and to return him either to the marshal or to the claimant to remove him to the State from which he escaped. It was for that reason that a larger fee was given to the commissioner, where he had the largest service to perform. But, sir, the act being viewed unfavorably and with great prejudice, in a certain portion of our country, this was regarded as very obnoxious, because it seemed to give an inducement to the commissioner to return the slave to the master, as he thereby obtained the larger fee of ten dollars instead of the smaller one of five dollars. I have said, let the fee be the same in both cases.

I have understood, furthermore, sir, that inasmuch as the fifth section of that law was worded somewhat vaguely, its general

terms had admitted of the construction in the Northern States that all the citizens were required, upon the summons of the marshal, to go with him to hunt up, as they express it, and arrest the slave; and this is regarded as obnoxious. They have said, "In the Southern States you make no such requisition on the citizen;" nor do we, sir. The section, construed according to the intention of the framers of it, I suppose, only intended that the marshal should have the same right in the execution of process for the arrest of a slave that he has in all other cases of process that he is required to execute—to call on the *posse comitatus* for assistance where he is resisted in the execution of his duty, or where, having executed his duty by the arrest, an attempt is made to rescue the slave. I propose such an amendment as will obviate this difficulty, and limit the right of the master and the duty of the citizen to cases where, as in regard to all other process, persons may be called upon to assist in resisting opposition to the execution of the laws.

I have provided further, sir, that the amendments to the Constitution which I here propose, and certain other provisions of the Constitution itself, shall be unalterable, thereby forming a permanent and unchangeable basis for peace and tranquillity among the people. Among the provisions in the present Constitution, which I have by amendment proposed to render unalterable, is that provision in the first article of the Constitution which provides the rule for representation, including in the computation three-fifths of the slaves. That is to be rendered unchangeable. Another is the provision for the delivery of fugitive slaves. That is to be rendered unchangeable.

And with these provisions, Mr. President, it seems to me we have a solid foundation upon which we may rest our hopes for the restoration of peace and good will among all the States of this Union, and all the people. I propose, sir, to enter into no particular discussion. I have explained the general scope and object of my proposition. I have provided further, which I ought to mention, that, there having been some difficulties experienced in the courts of the United States in the South in carrying into execution the laws prohibiting the African slave-trade, all additions and amendments which may be necessary to those laws to render them effectual should be immediately adopted by Congress, and especially the provisions of those laws which prohibit the importation of African slaves into the United States. I have further provided it as a recommendation to all the States of this Union, that whereas laws have been passed of an unconstitutional character (and all laws are of that character which either conflict with the constitutional acts of

Congress, or which, in their operation, hinder or delay the proper execution of the acts of Congress), which laws are null and void, and yet, though null and void, they have been the source of mischief and discontent in the country, under the extraordinary circumstances in which we are placed. I have supposed that it would not be improper or unbecoming in Congress to recommend to the States, both North and South, the repeal of all such acts of theirs as were intended to control, or intended to obstruct, the operation of the acts of Congress, or which, in their operation and in their application, have been made use of for the purpose of such hinderance and opposition, and that they will repeal these laws or make such explanations or corrections of them as to prevent their being used for any such mischievous purpose.

I have endeavored to look with impartiality from one end of our country to the other. I have endeavored to search up what appeared to me to be the causes of discontent pervading the land; and, as far as I am capable of doing so, I have endeavored to propose a remedy for them. I am far from believing that, in the shape in which I present these measures, they will meet with the acceptance of the Senate. It will be sufficiently gratifying if, with all the amendments that the superior knowledge of the Senate may make to them, they shall, to any effectual extent, quiet the country.

Mr. President, great dangers surround us. The Union of these States is dear to the people of the United States. The long experience of its blessings, the mighty hopes of the future, have made it dear to the hearts of the American people. Whatever politicians may say; whatever of dissension may, in the heat of party politics, be created among our people, when you come down to the question of the existence of the Constitution, that is a question beyond all party politics; that is a question of life and death. The Constitution and the Union are the life of this great people,—yes, sir, the life of life. We all desire to preserve them, North and South; that is the universal desire. But some of the Southern States, smarting under what they conceive to be aggressions of their Northern brethren and of the Northern States, are not contented to continue this Union, and are taking steps—formidable steps—towards a dissolution of the Union, and towards the anarchy and the bloodshed, I fear, that are to follow. I say, sir, we are in the presence of great events. We must elevate ourselves to the level of the great occasion. No party warfare about mere party questions or party measures ought now to engage our attention. They are left behind; they are as dust in the balance. The life, the existence of our country, of our Union, is the mighty question;

and we must elevate ourselves to all those considerations which belong to this high subject.

I hope, therefore, gentlemen will be disposed to bring the sincerest spirit of conciliation, the sincerest spirit and desire to adjust all these difficulties, and to think nothing of any little concessions of opinions that they may make, if thereby the Constitution and the country can be preserved.

The great difficulty here, sir,—I know it—I recognize it as the difficult question, particularly with the gentlemen from the North,—is the admission of this line of division for the territory, and the recognition of slavery on the one side and the prohibition of it on the other. The recognition of slavery on the Southern side of that line is the great difficulty, the great question with them. Now, I beseech them to think, and you, Mr. President, and all, to think whether, for such a comparative trifle as that, the Union of this country is to be sacrificed. Have we realized to ourselves the momentous consequences of such an event? When has the world seen such an event? This is a mighty empire. Its existence spreads its influence throughout the civilized world; its overthrow will be the greatest shock that civilization and free government have received, more extensive in its consequences, more fatal to mankind and to the great principles upon which the liberty of mankind depends than the French Revolution with all its blood and with all its war and violence. And all for what? Upon questions concerning this line of division between slavery and freedom? Why, Mr. President, suppose this day all the Southern States being refused this right, being refused this partition, being denied this privilege, were to separate from the Northern States and do it peacefully, and then were to come to you peacefully and say, "Let there be no war between us—let us divide fairly the Territories of the United States," could the Northern section of the country refuse so just a demand? What would you then give them? What would be the fair proportion? If you allowed them their fair relative proportion, would you not give them as much as is now proposed to be assigned on the Southern side of that line, and would they not be at liberty to carry their slaves there if they pleased? You would give them the whole of that; and then what would be its fate?

Is it upon the general principle of humanity, then, that you [addressing Republican senators] wish to put an end to slavery, or is it to be urged by you as a mere topic and point of party controversy to sustain party power? Surely I give you credit for looking at it upon broader and more generous principles. Then, in the worst event, after you have encountered disunion, that greatest of all political calamities to the people of this

country, and the disunionists come, the separating States come, and demand or take their portion of the Territories, they can take and will be entitled to take all that will now lie on the Southern side of the line which I have proposed. Then they will have a right to permit slavery to exist in it; and what do you gain for the cause of anti-slavery? Nothing whatever. Suppose you should refuse their demand and claim the whole for yourselves; that would be a flagrant injustice, which you would not be willing that I should suppose would occur. But if you did, what would be the consequence? A State north and a State south, and all the States north and south would be attempting to grasp at and seize this territory, and to get all of it that they could. That would be the struggle, and you would have war, and not only disunion, but all these fatal consequences would follow from your refusal now to permit slavery to exist, to recognize it as existing, on the southern side of the proposed line, while you give to the people there the right to exclude it when they come to form a State government, if such should be their will and pleasure.

Now, gentlemen, in view of this subject, in view of the mighty consequences, in view of the great events which are present before you, and of the mighty consequences which are just now to take effect, is it not better to settle the question by a division upon the line of the Missouri Compromise? For thirty years we lived quietly and peacefully under it. Our people, North and South, were accustomed to look at it as a proper and just line. Can we not do so again? We did it then to preserve the peace of the country. Now, you see this Union in the most imminent danger. I declare to you that it is my solemn conviction that, unless something be done, and something equivalent to this proposition, we shall be a separated and divided people in six months from this time. That is my firm conviction. There is no man here who deplores it more than I do; but it is my sad and melancholy conviction that that will be the consequence. I wish you to realize fully the danger; I wish you to realize fully the consequences which are to follow. You can give increased stability to this Union; you can give it an existence, a glorious existence, for great and glorious centuries to come, by now setting it upon a permanent basis, recognizing what the South considers as its rights; and this is the greatest of them all: it is that you should divide the territory by this line and allow the people south of it to have slavery when they are admitted into the Union as States, and to have it during the existence of the territorial government. That is all. Is it not the cheapest price at which such a blessing as this Union was ever purchased? You think, perhaps, or some of you, that there is

no danger—that it will but thunder and pass away. Do not entertain such a fatal delusion. I tell you it is not so; I tell you that as sure as we stand here disunion will progress. I fear it may swallow up even old Kentucky in its vortex—as true a State to the Union as yet exists in the whole Confederacy—unless something be done; but that you will have disunion, that anarchy and war will follow it, that all this will take place in six months, I believe as confidently as I believe in your presence. I want to satisfy you of the fact.

Mr. President, I rise to suggest another consideration. I have been surprised to find, upon a little examination, that when the peace of 1783 was made, which recognized the independence of this country by Great Britain, the States north of Mason and Dixon's line had but a territory of one hundred and sixty-four thousand square miles, while the States south of Mason and Dixon's line had more than six hundred thousand square miles. It was so divided. Virginia shortly afterwards ceded to the United States all that noble territory northwest of the Ohio River, and excluded slavery from it. That changed the relative proportion of territory. After that the North had four hundred and twenty-five thousand square miles, and the South three hundred and eighty-five thousand. Thus, at once, by the concession of Virginia, the North, from one hundred and sixty-four thousand, rose to four hundred and twenty-five thousand square miles, and the South fell from six hundred thousand to three hundred and eighty-five thousand square miles. By that cession the South became smaller in extent than the North. Well, let us look beyond. I intend to take up as little time as possible, and to avoid details; but take all your subsequent acquisitions of Florida, of Louisiana, of Oregon, of Texas, and the acquisitions made from Mexico. They have been so divided and so disposed of that the North has now two million two hundred thousand square miles of territory, and the South has less than one million.

Under these circumstances, when you have been so greatly magnified,—I do not complain of it, I am stating facts,—when your section has been made so mighty by these great acquisitions, and, to a great extent, with the perfect consent of the South, ought you to hesitate now upon adopting this line which will leave to you, on the north side of it, nine hundred and odd thousand square miles, and leave to the South only two hundred and eighty-five thousand? It will give you three times as much as it will give her. There is three times as much land in your portion as in hers. The South has already occupied some of it, and it is in States; but altogether the South gets by this division two hundred and eighty-five thousand square

miles, and the North nine hundred thousand. The result of the whole of it is that the North has two million two hundred thousand square miles and the South only one million.

I mention this as no reproach, as no upbraiding, as no complaint,—none at all. I do not speak in that spirit,—I do not address you in that temper. But these are the facts, and they ought, it seems to me, to have some weight; and when we come to make a peace-offering, are we to count it, are we to measure it nicely in golden scales? You get a price, and the dearest price, for all the concession asked to be made,—you have the firmer establishment of your Union; you have the restoration of peace and tranquillity, and the hopes of a mighty future, all secured by this concession. How dearly must one individual, or two individuals, or many individuals, value their private opinions if they think them more important to the world than this mighty interest of the Union and government of the United States!

Sir, it is a cheap sacrifice. It is a glorious sacrifice. This Union cost a great deal to establish it; it cost the yielding of much of public opinion and much of policy, besides the direct or indirect cost of it in all the war to establish the independence of this country. When it was done, General Washington himself said, "Providence has helped us, or we could not have accomplished this thing." And this gift of our wisest men; this great work of their hands; this work in the foundation and the structure of which Providence Himself, with his benignant hand, helped,—are we to give it all up for such small considerations? The present exasperation; the present feeling of disunion, is the result of a long-continued controversy on the subject of slavery and of territory. I shall not attempt to trace that controversy; it is unnecessary to the occasion, and might be harmful. In relation to such controversies I will say, though, that all the wrong is never on one side, or all the right on the other. Right and wrong, in this world, and in all such controversies, are mingled together. I forbear now any discussion or any reference to the right or wrong of the controversy,—the mere party controversy; but in the progress of party, we now come to a point where party ceases to deserve consideration, and the preservation of the Union demands our highest and our greatest exertions. To preserve the Constitution of the country is the highest duty of the Senate, the highest duty of Congress,—to preserve it and to perpetuate it, that we may hand down the glories which we have received to our children and to our posterity, and to generations far beyond us. We are, senators, in positions where history is to take notice of the course we pursue.

History is to record us. Is it to record that when the destruction of the Union was imminent; when we saw it tottering to its fall; when we saw brothers arming their hands for hostility with one another, we stood quarreling about points of party politics; about questions which we attempted to sanctify and to consecrate by appealing to our conscience as the source of them? Are we to allow such fearful catastrophes to occur while we stand trifling away our time? While we stand thus, showing our inferiority to the great and mighty dead; showing our inferiority to the high positions which we occupy, the country may be destroyed and ruined; and to the amazement of all the world, the great republic may fall prostrate and in ruins, carrying with it the very hope of that liberty which we have heretofore enjoyed; carrying with it, in place of the peace we have enjoyed, nothing but revolution, and havoc, and anarchy. Shall it be said that we have allowed all these evils to come upon our country, while we were engaged in the petty and small disputes and debates to which I have referred? Can it be that our name is to rest in history with this everlasting stigma and blot upon it?

Sir, I wish to God it was in my power to preserve this Union by renouncing or agreeing to give up every conscientious and other opinion. I might not be able to discard it from my mind. I am under no obligation to do that. I may retain the opinion; but if I can do so great a good as to preserve my country, and give it peace, and its institutions and its Union stability, I will forego any action upon my opinions. Well now, my friends [addressing the Republican senators], that is all that is asked of you. Consider it well, and I do not distrust the result. As to the rest of this body, the gentlemen from the South, I would say to them, Can you ask more than this? Are you bent on revolution, bent on disunion? God forbid it. I cannot believe that such madness possesses the American people. This gives reasonable satisfaction. I can speak with confidence only of my own State. Old Kentucky will be satisfied with it, and she will stand by the Union and die by the Union if this satisfaction be given. Nothing shall seduce her. The clamor of no revolution, the seductions and temptations of no revolution, will tempt her to move one step. She has stood always by the side of the Constitution; she has always been devoted to it, and is this day. Give her this satisfaction, and I believe all the States of the South that are not desirous of disunion as a better thing than the Union and the Constitution, will be satisfied and will adhere to the Union, and we shall go on again in our great career of national prosperity and national glory.

But, sir, it is not necessary for me to speak to you of the

consequences that will follow disunion. Who of us is not proud of the greatness we have achieved? Disunion and separation destroy that greatness. Once disunited, we are no longer great. The nations of the earth who have looked upon you as a formidable power, a mighty power, and rising to untold and immeasurable greatness in the future, will scoff at you. Your flag, that now claims the respect of the world, that protects American property in every port and harbor of the world, that protects the rights of your citizens everywhere, what will become of it? What becomes of its glorious influence? It is gone; and with it the protection of American citizens and property. To say nothing of the national honor which it displayed to all the world, the protection of your rights, the protection of your property abroad, is gone with that national flag, and we are hereafter to conjure and contrive different flags for our different republics according to the feverish fancies of revolutionary patriots and disturbers of the peace of the world. No, sir; I want to follow no such flag. I want to preserve the union of my country. We have it in our power to do so, and we are responsible if we do not do it.

I do not despair of the republic. When I see before me senators of so much intelligence and so much patriotism, who have been so honored by their country, sent here as the guardians of that very Union which is now in question, sent here as the guardians of our national rights, and as guardians of that national flag, I cannot despair; I cannot despond. I cannot but believe that they will find some means of reconciling and adjusting the rights of all parties, by concessions, if necessary, so as to preserve and give more stability to the country and to its institutions.

Mr. President, I have occupied more time than I intended. My remarks were designed and contemplated only to reach to an explanation of this resolution.

The presiding officer (Mr. Fitzpatrick in the chair).—Does the senator desire the resolution to be read?

Mr. Crittenden.—Yes, sir; I ask that it be read to the Senate.

Mr. Green.—The hour has arrived for the consideration of the special order.

Mr. Crittenden.—I desire to present this resolution now to the Senate; and I ask that it may be read and printed.

The presiding officer.—The secretary will report the resolution.

The secretary read it, as follows:

A JOINT RESOLUTION (S. No. 50) PROPOSING CERTAIN AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES.

Whereas, serious and alarming dissensions have arisen between the Northern and Southern States concerning the rights

and security of the rights of the slaveholding States, and especially their rights in the common territory of the United States; and whereas, it is eminently desirable and proper that these dissensions, which now threaten the very existence of this Union, should be permanently quieted and settled by constitutional provisions, which shall do equal justice to all sections, and thereby restore to the people that peace and good will which ought to prevail between all the citizens of the United States; therefore

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (two-thirds of both Houses concurring), That the following articles be and are hereby proposed and submitted as amendments to the Constitution of the United States, which shall be valid to all intents and purposes, as part of said Constitution, when ratified by conventions of three-fourths of the several States:

ARTICLE 1. In all the territory of the United States now held, or hereafter acquired, situate north of latitude  $36^{\circ} 30'$ , slavery or involuntary servitude, except as a punishment for crime, is prohibited while such territory shall remain under territorial government. In all the territory south of said line of latitude, slavery of the African race is hereby recognized as existing, and shall not be interfered with by Congress, but shall be protected as property by all the departments of the territorial government during its continuance. And when any Territory, north or south of said line, within such boundaries as Congress may prescribe, shall contain the population requisite for a member of Congress according to the then Federal ratio of representation of the people of the United States, it shall, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without slavery, as the constitution of such new State may provide.

ART. 2. Congress shall have no power to abolish slavery in places under its exclusive jurisdiction, and situate within the limits of States that permit the holding of slaves.

ART. 3. Congress shall have no power to abolish slavery within the District of Columbia, so long as it exists in the adjoining States of Virginia and Maryland, or either, nor without the consent of the inhabitants, nor without just compensation first made to such owners of slaves as do not consent to such abolition. Nor shall Congress at any time prohibit officers of the Federal government, or members of Congress, whose duties require them to be in said District, from bringing with them their slaves, and holding them as such during the time their duties may require them to remain there, and afterwards taking them from the District.

ART. 4. Congress shall have no power to prohibit or hinder the transportation of slaves from one State to another, or to a Territory in which slaves are by law permitted to be held, whether that transportation be by land, navigable rivers, or by the sea.

ART. 5. That, in addition to the provisions of the third paragraph of the second section of the fourth article of the Constitution of the United States, Congress shall have power to provide by law, and it shall be its duty so to provide, that the United States shall pay to the owner who shall apply for it the full value of his fugitive slave in all cases when the marshal or other officer whose duty it was to arrest said fugitive was prevented from so doing by violence or intimidation, or when, after arrest, said fugitive was rescued by force, and the owner thereby prevented and obstructed in the pursuit of his remedy for the recovery of his fugitive slave under the said clause of the Constitution and the laws made in pursuance thereof. And in all such cases, when the United States shall pay for such fugitive, they shall have the right, in their own name, to sue the county in which said violence, intimidation, or rescue was committed, and to recover from it, with interest and damages, the amount paid by them for said fugitive slave. And the said county, after it has paid said amount to the United States, may, for its indemnity, sue and recover from the wrong-doers or rescuers by whom the owner was prevented from the recovery of his fugitive slave, in like manner as the owner himself might have sued and recovered.

ART. 6. No future amendment of the Constitution shall affect the five preceding articles ; nor the third paragraph of the second section of the first article of the Constitution ; nor the third paragraph of the second section of the fourth article of said Constitution ; and no amendment shall be made to the Constitution which shall authorize or give to Congress any power to abolish or interfere with slavery in any of the States by whose laws it is, or may be, allowed or permitted.

And *whereas*, also, besides those causes of dissension embraced in the foregoing amendments proposed to the Constitution of the United States, there are others which come within the jurisdiction of Congress, and may be remedied by its legislative power ; and *whereas*, it is the desire of Congress, as far as its power will extend, to remove all just cause for the popular discontent and agitation which now disturb the peace of the country and threaten the stability of its institutions ; therefore

1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the laws now in force for the recovery of fugitive slaves are in strict pursuance of the plain and mandatory provisions of the Constitution, and

have been sanctioned as valid and constitutional by the judgment of the Supreme Court of the United States; that the slaveholding States are entitled to the faithful observance and execution of those laws, and that they ought not to be repealed, or so modified or changed as to impair their efficiency; and that laws ought to be made for the punishment of those who attempt by rescue of the slave, or other illegal means, to hinder or defeat the due execution of said laws.

2. That all State laws which conflict with the fugitive-slave acts of Congress, or any other constitutional acts of Congress, or which, in their operation, impede, hinder, or delay the free course and due execution of any of said acts, are null and void by the plain provisions of the Constitution of the United States; yet those State laws, void as they are, have given color to practices and led to consequences which have obstructed the due administration and execution of acts of Congress, and especially the acts for the delivery of fugitive slaves, and have thereby contributed much to the discord and commotion now prevailing. Congress, therefore, in the present perilous juncture, does not deem it improper respectfully and earnestly to recommend the repeal of those laws to the several States which have enacted them, or such legislative corrections or explanations of them as may prevent their being used or perverted to such mischievous purposes.

3. That the act of the 18th of September, 1850, commonly called the fugitive-slave law, ought to be so amended as to make the fee of the commissioner, mentioned in the eighth section of the act, equal in amount in the cases decided by him, whether his decision be in favor of or against the claimant; and, to avoid misconstruction, the last clause of the fifth section of said act, which authorizes the person holding a warrant for the arrest or detention of a fugitive slave, to summon to his aid the *posse comitatus*, and which declares it to be the duty of all good citizens to assist him in its execution, ought to be so amended as to expressly limit the authority and duty to cases in which there shall be resistance or danger of resistance or rescue.

4. That the laws for the suppression of the African slave-trade, and especially those prohibiting the importation of slaves in the United States, ought to be made effectual, and ought to be thoroughly executed; and all further enactments necessary to those ends ought to be promptly made.

(In Senate, 1860. Crittenden Resolutions.)

Mr. Crittenden.—Mr. President, I move that the resolutions which I had the honor of offering some time ago be taken up now for consideration. I am only desirous to have a vote of

the Senate upon this subject; and if the measures I have proposed are not acceptable to the Senate, we may perhaps agree upon others which may find favor. I believe, when we had this subject under consideration before, the question was upon the adoption of the first article of amendment which I had the honor of offering on that question. I ask the yeas and nays. I will submit to a motion to postpone it until to-morrow; but as for giving way to the Pacific Railroad bill, or to any other bill, I think the Senate will not consider it proper. The people expect, at least, a decision upon this subject, and I insist upon it at the earliest period. If the gentleman makes a motion to postpone till to-morrow, I will vote for it; but I will not postpone for the railroad bill. I call for the yeas and nays. It seems to me evident from this dilatory sort of proceeding that gentlemen are trying to postpone this subject. I do not wish to embarrass the Chair by questions about order. It is a point about which I have no great skill. I suppose it must be a clear proposition that the Senate has a right to order the course of its business, and say it will act upon such a subject until it is concluded, when that subject comes regularly up for action. I will, however, withdraw that part of the motion, and leave the question so that they shall be called up to-morrow to the exclusion of all other business. I suppose the Senate can make that order without question. Do not let us trifle with the greatest subject that can possibly be before the Senate,—I cannot consent to it. I hope the Senate will treat the subject with the solemnity which belongs to it, and manifest a temper and disposition to act decidedly and promptly.

(John A. Dix to J. J. Crittenden.)

NEW YORK, December 22, 1860.

MY DEAR SIR,—I have read your proposition for reconciling existing differences between the North and South. I would most cheerfully accept it. I feel a strong confidence that we could carry three-fourths of the States in favor of it as an amendment to the Constitution. Will not the Republicans in Congress take it? They voted against the repeal of the Missouri Compromise. Why may they not with perfect consistency vote to re-establish it, and give it permanency?

I feel the deepest interest in the adjustment of this unhappy controversy; but our destinies are in the hands of those who would, I fear, listen to no words of mine.

With sincere regard, yours,

Hon. J. J. CRITTENDEN.

JOHN A. DIX.

(Edward Everett to J. J. Crittenden.)

BOSTON, December 23, 1860.

MY DEAR SIR,—I am much obliged to you for a copy of the joint resolutions moved by you. I saw with great satisfaction your patriotic movement, and I wish from the bottom of my heart that it may succeed. There is nothing in your resolutions for which I would not cheerfully vote, if their adoption as amendments of the Constitution would save us from disunion, and, what I consider its necessary consequences, civil war, anarchy, desolation at home, the loss of all respectability and influence abroad, and, finally, military despotism. I would agree to anything rather than incur the risk of these calamities. I suppose your resolutions will command the ready assent of all conservative members of Congress. Have you any encouragement that they will be concurred in by any considerable number of Republicans? I could wish that our Southern brethren would be contented without inserting the word *slave* in the Constitution, it having been *studiously* omitted by the framers, and also that the right of holding slaves south of the 36°30' had been left to inference, as it was in the Missouri Compromise, and not expressly *asserted*. Both these points will be stumbling-blocks with many conservative members of the Republican party. My good friend, we are in a bad way. Cannot our Southern friends be persuaded to proceed more deliberately? They give no time for healing counsels to take effect; nor do they consider in what a position they place their friends here.

I remain, with sincere regard, faithfully yours,

EDWARD EVERETT.

I ought to make my personal acknowledgments to you for your noble efforts in the canvass. The kindest compliments of the season to you.

(Elisha Whittlesey to J. J. Crittenden.)

CANFIELD, MAHONING COUNTY, OHIO,

December 24, 1860.

MY DEAR FRIEND,—I have read with great pleasure your speech in the Senate on the 18th, as published in the *Globe*, and as far as I have been able to place it in the hands of my conservative neighbors, they express their high gratification in your able and patriotic effort to arrest the *mad designs* of those who wish the dissolution of the Union. Although your propositions were too late to prevent the secession of South Carolina, we bless you as a peace-maker. How little the great mass of the people in the States, formed from the Northwestern Territory, know of the obligations the few settlers were under to the

patriotic and noble spirits of Kentucky and Virginia during the war of 1812, and during the previous Indian wars! The times are truly alarming, but whatever may be the result, our hearts are filled with gratitude to you for your exertions to harmonize discordant feelings, and thereby prevent a dissolution of this blessed Union.

I thought my duty required me to say this much.

Most respectfully yours,

ELISHA WHITTLESEY.

(R. C. Winthrop to J. J. Crittenden.)

BOSTON, December 24, 1860.

My DEAR MR. CRITTENDEN,—I thank you for the copy of your compromise plan under your own hand. I shall value it always as an evidence of your having remembered me among those whom you thought would be glad to co-operate in any reasonable scheme for saving our beloved country. There are some features of the plan which I might wish modified; but I should try hard to sustain you in such measures as were essential to rescue us from disunion and civil war. While I write, however, the telegraph brings me word that your committee has failed to agree upon anything, and that you are in despair. Never, never let us despair of the republic! And yet one hardly knows how to hope for anything good while there is so much passionate and precipitate action at the South. It is due to the momentous interests at stake that time should be allowed for deliberation; and I trust that some mode will be devised for protracting the final question until public opinion shall have had a chance to express itself. Meanwhile, it occurs to me, that the North might be conciliated towards meeting the requisitions of the South, if a prohibition of the foreign slave-trade were *incorporated* with the *Constitution* instead of being left to rest upon legislation. The Constitution gave power to Congress to prohibit it after twenty years, and you propose a provision for more stringent legislation. Why not make its prohibition a constitutional matter? This would afford a strong inducement to the North to run the Missouri Compromise to the Pacific, or to adopt almost any other settlement of the internal slavery question, and would take the subject entirely out of the reach of congressional action. But I know not what may be practicable with you, or with us, and I only desired to thank you for remembering me, and to assure you of my heartfelt sympathy in your *labors* and *trials*.

Believe me *always*, with the greatest regard, sincerely yours,

ROBERT C. WINTHROP.

Hon. J. J. CRITTENDEN.

(Amos A. Laurence to J. J. Crittenden.)

BOSTON, December 29, 1860.

MY DEAR SIR,—We are all watching with interest your patriotic and vigorous efforts for pacification. I inclose a paper, written by Judge Curtis, of which I am sending *six thousand* to all the clergymen, justices of the peace, members of the legislature, etc. in this State. These are to be followed by petitions to the legislature, in various forms, for the repeal of our "personal liberty bills." One of the elements which produce reaction is disappearing,—I mean the scarcity of money. There is danger that we may soon lose another, viz., the unwarlike condition of the public mind. The contrast between us and the South, in this respect, is most striking. Here, and through the whole North and West, nobody has thought of war or of arms, not a musket or pistol has been *bought* or *sold* for any civil strife. Nine out of ten of our people would laugh if told that blood must be shed. This condition of peace, which is conducive to calm reasoning and to reaction, may, and I fear *will*, be changed suddenly. The first blow struck, by any State or local authority, at the United States government will arouse and unite the whole Northern people. Partisan faults will be forgotten, and no *retroactive* legislation can be accomplished. The secessionists seem to be ignorant of the powers which their meditated treason will give the government. Mr. Buchanan himself seems not to be aware of the strength of the government for the repression of rebellion. The destruction of his little force would bring out the *warlike feeling in a day*. Mr. William Appleton was encouraged by his interview with the President. On receiving your letter, I gave up importuning Republicans to sign the address in regard to the "liberty law," and have since made better progress. This is written to thank you, and inform you that we are at the *old work* of saving the Union; *but*, under your direction, so far as you are willing to direct, I shall take the liberty to report to you occasionally, but not if it obliges you to reply.

With great respect and regard,

J. J. CRITTENDEN.

AMOS A. LAURENCE.

(In Senate, January 3d, 1861. Adopting the Crittenden Compromise.)

Mr. Bigler presented proceedings of meetings held at Harrisburg and at Carlisle, Pennsylvania, desiring that the measures of adjustment, suggested by Mr. Crittenden, should be promptly adopted.

(In Senate, January 14th, 1861.)

Mr. Crittenden presented petition of citizens of Annapolis, Maryland, praying the adoption of the compromise measures proposed by him.

(In Senate, January 15th, 1861.)

Mr. Bayard presented petitions of citizens of Wilmington, Delaware, without distinction of party, praying to adopt the resolutions of the senator from Kentucky, J. J. Crittenden.

Mr. Kennedy presented petitions of citizens of Frederick County, Maryland, praying adoption of Crittenden Compromise measures.

Mr. Bigler presented petitions of Philadelphia, of Port Clinton, and of Lehigh County, Pennsylvania, praying severally the adoption of the Crittenden Compromise.

(In Senate, January 16th, 1861.)

Mr. Crittenden presented petitions of citizens of Maryland praying the adoption of his compromise measures.

Mr. Bigler presented petition of citizens of Easton, Pennsylvania, praying the passage of Mr. Crittenden's Compromise measures.

(In Senate, January 18th, 1861.)

Mr. Crittenden.—Mr. President, I have been honored by the request of many of my fellow-citizens, unknown to me, to present petitions to Congress requesting the two Houses to adopt the resolutions of compromise which I had the honor to present, one from Monongalia County, Virginia, one from Philadelphia, one from Illinois, and one from Michigan. I present them to the respectful consideration of the Senate.

(In Senate, January 21st, 1861.)

Mr. Bigler presented petitions of citizens of Mount Bethel, Pennsylvania, praying the adoption of Crittenden Compromise measures; also petition of citizens of Chenango County, New York, to the same effect.

Mr. Crittenden presented petition from citizens of Michigan, and asked that it might be read. They begged that the Crittenden propositions, as modified and agreed to by the committee, be referred directly to the people of all the States for their action.

Mr. Polk presented a paper from the city of St. Louis, expressing the belief that the passage by Congress of the Crittenden resolutions will give peace to the public mind, and asking that they be passed, or the substance of them. The petition consists of between ninety-five and one hundred leaves of foolscap paper, enveloped in the American flag, inscribed, "We love the North; we love the East; we love the West; we love the South intensely."

Mr. Crittenden.—I hope the petition will be read.

Mr. Trumbull.—I believe it is not according to the rules to read petitions.

Mr. Crittenden.—I should like to know where you learn that it is not according to rule to read petitions. There can be no rule against it. The secretary read :

“We, the undersigned, citizens of St. Louis, believing that the adoption of the propositions for settling the issues now disturbing our country, introduced into the Senate by Senator Crittenden, of Kentucky, would have the effect of giving peace to the public mind, respectfully ask the Congress of the United States to accept of said propositions, and to offer articles of amendment to the Constitution to the people and the States for their acceptance.”

(In Senate, January 22d, 1861.)

Mr. Crittenden presented petition of citizens of Michigan, also of Detroit, Michigan, praying for adoption of Crittenden Compromise.

(In Senate, January 28th, 1861.)

Mr. Crittenden presented petition of citizens of Ann Arbor, Michigan, praying for the adoption of Crittenden Compromise.

(In Senate, January 29th, 1861.)

Mr. Crittenden presented petitions of citizens of Massachusetts, praying the adoption of Crittenden Compromise.

(In Senate, January 30th, 1861.)

Mr. Crittenden.—Mr. President, I am honored by the request to present to the Senate a petition signed, as I am informed, by thirty-four hundred citizens of the State of Massachusetts, recommending the propositions which I have submitted for the settlement of the difficulties which are now impending over the country. When I came in just now, Mr. President, I heard my friend from New Hampshire, who was on the floor, addressing the Senate in his usual pleasant and agreeable style, allude to a dispatch, which he had seen published, signed by myself and others, expressing a hope and a belief that these difficulties would in some way be adjusted by the present Congress. I do entertain that hope, sir, and that hope is encouraged and cherished not only by the anticipations that the patriotic gentleman himself may give assistance to such a settlement before the conclusion of the session, but I find a further and a higher exhortation to that hope in the various petitions from the people coming up constantly to this body. The great heart of the country desires a settlement. I hope that as we met here so we shall part in peace, with such an adjustment as will send a thrill of

joy throughout this vast country. I move that the petition be read and laid on the table.

Mr. Wilson presented petition of citizens of Newburyport, Massachusetts, asking the passage of Crittenden Compromise resolutions.

Mr. Bigler presented petition of citizens of Snyder County, Pennsylvania, praying the adoption of Crittenden Compromise measures; also petitions of Claiborne County to the same effect.

Mr. Crittenden presented the following petition from State of Massachusetts:

"The undersigned, citizens of the State of Massachusetts, believing that the proposition of Honorable J. J. Crittenden, of Kentucky, presents a practical basis for the settlement of the questions now disturbing the peace of the country, respectfully pray that the same may be adopted."

Also petition from Grand Rapids, in State of Michigan, without distinction of party, solemnly entreating that Congress would pass the Crittenden resolutions and give them an opportunity to vote on and decide at the ballot-box the constitutional amendments embraced in the resolutions.

Another petition from citizens of Michigan, imploring Congress to adopt the Crittenden Compromise.

Another petition from citizens of Michigan.

Another from citizens of Michigan *to the same effect.*

Mr. President, this is, indeed, a very patriotic State. I am requested to present an appeal to the Senate by the presidents of a great amount of railroad property in this country, who met here recently on business connected with these railroads, and, having finished that business, thought they might, without impropriety, venture to express their opinions on the great subjects of the day. They passed resolutions unanimously declaratory of their opinions, and requested that I should present them to the Senate, which I now do, and ask that they may be read.

Mr. Hale.—I rise to a question of order. I want to know if that is a petition or a memorial addressed to the Senate.

Mr. Crittenden.—Yes.

Mr. Hale.—If it is what I saw in the newspapers, it is not of that kind. Of course, I do not want to question the senator's word.

Mr. Crittenden.—I stated exactly what it was. The gentleman need not question my word.

Mr. Hale.—I did not.

Mr. Crittenden.—Cannot a citizen appeal to Congress in the language of resolution as well as any other form of petition? There is no form of petition prescribed. The Constitution guarantees to citizens the right of petitioning Congress.

Mr. President, in the days when the Constitution was made, "the right of petition," which is nothing more than the right of a popular appeal to the representative body of the government, was thought to be of some value,—perhaps in that day it was of some value. Before the Parliament of Great Britain, in the days of our ancestors, it had occasionally exercised a great influence. I believe it has, in a great degree, lost power; but still it is a privilege and a right secured by the Constitution. The people have a right to petition Congress, according to the Constitution. What does that mean, Mr. President? Was this right deemed a matter of substance, or was it intended as a mere formula to be exercised in a particular mode or in particular phraseology?—"I pray the honorable Senate," "I beg the honorable Senate," "I desire to make known to the honorable Senate." Will all these forms be embraced by the general language of the Constitution under the right of petition? We know that this right of petition is frequently exercised in the most positive and mandatory language that is consistent with respect to this body, and it may well be so.

It is not the language of supplicants. The Constitution never intended that our people should become *supplicants* before they could have the privilege of expressing their opinions to their representatives. The Constitution intended that the doors should be kept open, that the people might speak in what language they pleased, provided it was respectful, to their representatives. This is the substance of the right of petition. It is the right of freemen; to be expressed like freemen,—and not the language of mere supplicants, who come with formal prayers in their mouths.

Well, sir, if this is the true sense and understanding of the constitutional right of petition, I ask, what more effective, what more brief, mode can be adopted than that which these petitioners have selected? A great measure is depending before Congress. These gentlemen express their opinions, and ask that their views may be presented to the Senate of their country and to the House of Representatives.

Now, sir, is not this a petition in the sense of the Constitution? How are you to distinguish between this and any other mode of written appeal by the citizen? They ask me to present it to the Senate. They ask, in effect and impliedly, if the Senate will receive this expression of their opinions. You can

make nothing more or less of it, sir; and unless we intend, by technical constructions and rigorous proscription of the rules, to confine the people to as precise a mode as possible of coming to the Senate, to make the road narrow and difficult for them, we should not be very careful about the form or language in which the people express themselves. They have a right to be heard when they wish to be heard.

It is said there has been a case like this which has been otherwise decided. I take it for granted it was as gentlemen have stated. Another case was supposed to exist of resolutions of a convention in Kentucky. Their resolutions, however, did not express any wish that they should be presented to the Senate. This could not, therefore, be heard by the Senate under the "right of petition." But here, on the contrary, is the express wish and opinion that it shall be presented, and I leave it to the Senate to say whether the right of the people shall be constrained and diminished—*cut down* to a particular form—before they can be allowed to be heard by their own senators and their own representatives. Instead of contracting we should enlarge, and keep open all sorts of communication with the people. There was a constitutional provision made that the people should be heard upon their petitions. The "right of petition" is but parliamentary language. It is the right of the people to appeal to and make known their opinions to their representatives in writing. This is the amount of it. If it does not amount to that, it is but the poor, miserable, pitiful right of supplicants, to come with folded arms, and bowed heads, and bated breath before Congress, and beg and supplicate. I hope no such doctrine will prevail here; and if ever such a decision has been given, that it will never be repeated in the Senate.

Mr. Bigler presented a memorial of a thousand citizens of Lancaster, Pennsylvania, without distinction, praying Congress to adopt the resolutions of Senator Crittenden for settling national difficulties.

Mr. Crittenden presented petition from the people of Albany, Indiana. They inform me that, at the last presidential election, one thousand nine hundred votes were given in the town of Albany and its vicinity, and this petition contains the names of one thousand five hundred. They beg leave to say that the adoption of the propositions contained in the Crittenden resolutions would be received by the border States as satisfactory, and render us once more a united and happy people. I am also charged to present petition of a number of citizens of Michigan to the same effect.

Also the petition of a number of citizens of New York, praying the adoption of the Crittenden resolutions.

Also the petition of citizens of Harford, in the State of Maryland.

Also the petition of citizens of Indiana to the same effect.

Mr. Wilson presented petition of five hundred citizens of Montgomery County, Indiana, praying the adoption of the Crittenden Compromise.

(In Senate, February 11th, 1861.)

Mr. Crittenden.—Mr. President, I rise again to discharge the agreeable duty of presenting to the Senate various petitions for settling our national troubles on the basis of the resolutions I had the honor to offer. The first is from citizens of Newburyport, Massachusetts. From a part of the Union very remote from that has come another petition, which I beg leave to present. From citizens of Missouri, accompanied by a flag of the old Union,—one that I hope may last forever. I have another from Clay County, Missouri; two others from the same State; another from Attleborough, in Massachusetts; another from Clay County, in Missouri.

Mr. Green.—I object to the reading; it is not according to rule.

Mr. Crittenden.—Is there any rule of the Senate against the reading of a petition? What is the right of petition? Not to have the petition read? I respectfully suggest that the Constitution makes a rule on this subject which neither the Senate nor anybody can violate.

The gentleman pronounces very emphatically that petitions are never read. Sir, it is idle to enter into any controversy of mere assertions here. My understanding is that they are often read. Often the person presenting them does not desire it; but there is no rule that they shall not be read,—far from it. The gentleman misapprehends the rule he reads. The mover of a petition is required to state the purport of it, and the petition must be in respectful language; this is preliminary to the presentation of the petition. But he supposes it is intended as a substitute for the reading of the petition,—entirely misapprehends the rule.

Presiding officer.—The secretary will read the rule.

Mr. Crittenden.—Mr. President, the rule exactly establishes what I have said, and I have not a word more to say.

The motion to read the petition was agreed to.

The citizens of Chester, Pennsylvania, humbly but earnestly pray that Congress may speedily adopt for the settlement of our national difficulties such measures as are substantially embraced in the plan of compromise presented by Senator Crittenden, believing that propositions so just to all sections of the country will restore tranquillity and peace.

(In Senate, February 14th, 1861.)

Mr. Cameron presented petitions from Lehigh County, Pennsylvania, praying the adoption of Crittenden Compromise.

Also petitions of citizens of Lancaster, Pennsylvania, to the same effect.

Mr. Seward presented petitions from Waterford, New York, to the same effect.

Mr. Crittenden.—Mr. President, the senator from Ohio, Mr. Pugh, upon leaving here in consequence of sickness in his family, left with me a petition to present. It is from citizens of Portsmouth, Ohio, about five hundred, praying the adoption of the propositions I have submitted to the Senate for the settlement of our national troubles.

Also a petition from Oyster Bay, New York, to the same effect.

Also from citizens of Bradford, Vermont, to the same effect.

Mr. Polk presented petitions of Pike County, Missouri, praying the adoption of Crittenden resolutions.

Mr. Rice presented petition of citizens of Minnesota, respectfully recommending adoption of Crittenden Compromise.

Mr. Bigler presented petitions of citizens of Bradford County, Pennsylvania, praying the adoption of Crittenden Compromise.

Also petitions from citizens of Safe Harbor, Pennsylvania, to same effect.

Mr. Douglas presented petitions from Trenton, Michigan, to the same effect.

Mr. Crittenden presented petitions from citizens of Westfield, Massachusetts, praying adoption of his compromise measures.

Also petitions from Morgan County, Illinois, to the same effect.

Also petition from Michigan to the same effect.

Also petitions from York, Maine, praying adoption of Crittenden Compromise.

*Vice-President* presented memorial of the Common Council of city of Boston to Senate and House of Representatives, saying that in the propositions offered for compromise by the Honorable J. J. Crittenden we recognize a satisfactory basis of adjustment.

(In Senate, February 19th, 1861.)

Mr. Rice presented memorial of citizens of St. Anthony, Minnesota, praying the adoption of Crittenden resolutions.

Also petition of citizens of St. Cloud to the same effect.

Also petition of citizens of Stillwater, Minnesota, to the same effect.

Mr. Crittenden.—Mr. President, I present a petition of legal

voters of Machias, Maine, and its vicinity, without distinction of party, praying Congress to adopt the measures of conciliation and compromise offered by me, or any other similar plan which will insure tranquillity and the peaceful perpetuity of the present American Union. I have no speech to make, but I may say that those petitions are about the best speeches I hear on this subject.

(In Senate, February 21st, 1861.)

Mr. Powell presented a petition of citizens of Superior City, Wisconsin, praying for the adoption of Crittenden Compromise.

Mr. Bigler presented petitions of Elk County, Pennsylvania, to the same effect.

Also a memorial of citizens of Schuylkill County, praying Congress to enact a law to submit to a vote of the people the proposed Crittenden Compromise.

Also proceedings at Alleghany, approving Crittenden Compromise.

Mr. Crittenden presented a petition of five hundred and seventy-eight citizens of Jefferson, Illinois, praying for the adoption of Crittenden Compromise.

Also petition of citizens of Liberty Corner, New Jersey, to the same effect.

(In Senate, February 23d, 1861.)

Mr. Crittenden presented petition of citizens of Michigan, praying the adoption of his compromise measures.

Also from citizens of Lincoln, Maine, to the same effect.

(In Senate, February 27th, 1861.)

Mr. Crittenden presented petition of citizens of Iowa, praying the adoption of his compromise measures.

Also petition of citizens of Muhlenburg, Kentucky, to the same purport.

Mr. Bigler presented petition of citizens of Blair City, Pennsylvania, to the same purport.

(In Senate, March 1st, 1861.)

Mr. Bigler presented petitions of citizens of Mercer County, Pennsylvania, praying adoption of Crittenden Compromise.

Mr. Crittenden.—Mr. President, at the instance of a very venerable and distinguished lady of the State of New York, it becomes my duty this morning to present the petition of herself and a very large number of the women of the United States—I am told about fourteen thousand. They are from the States of New York, Pennsylvania, Maryland, Ohio, Indiana, New Jersey, Delaware, Illinois, Vermont, New Hampshire,

North Carolina, and District of Columbia, praying Congress to take such measures as wisdom and patriotism may direct to restore peace. I present this petition to the serious consideration of the Senate. I think it is entitled to it not only from the character of the petitioners but from the critical condition of the country. I hope this petition will be respectfully and gravely regarded by the Senate of the United States. It would not be the first instance in history where the interposition of women had prevented the horrors of war. We learn in Roman history that when the Sabines and Romans were engaged in battle, the Sabine women rushed between the contending hosts. Their arms fell powerless, and peace was restored. We cannot hope for such effects; but I do hope that their interposition may have some influence upon the sterner nature of man, and incline us to a humane and patriotic consideration of this great subject. I know the precious value of every moment of the time of the Senate, and I forbear to make any observations.

## CHAPTER XIV.

1861.

Leonard Myers to J. J. Crittenden—Harry Conrad—G. K. Shirley—George S. Bryan—Thomas H. Clay—Robert Anderson—In Senate, January 16, 1861, Slavery Question, Amendment to the Constitution—Letter from Horatio Seymour—In Senate, January 18, 1861, Constitutional Conventions—In Senate, January 21, 1861, Slavery Question—In Senate, January 23, 1861, Postponing Joint Resolutions—Beauchamp and Townsend—In Senate, February 9, 1861, Proceedings of Meetings and Conventions, etc.—In Senate, February 12, 1861, State of the Union—Letter from A. T. Burnley.

(Leonard Myers to J. J. Crittenden.)

PHILADELPHIA, January 4, 1861.

HONORED SIR,—I see in the morning's paper your resolutions, offered in the Senate of the United States, that a provision be made by law for obtaining the sense of the people on your resolutions. I trust you will pardon me for suggesting that the *judgment* of the *people* under your resolutions, and their heartfelt feelings and fraternal love towards our *Southern brethren*, in fact, towards all our *brethren*, may be obtained by having your resolutions printed upon good paper (petition form) and sent broadcast over our beloved country, submitted to the people in every State, city, town, and borough for their signature; and thus would our people give an honest and patriotic expression of approval apart from the corrupting influence of mere political leaders. The time has arrived, dear sir, now that many of our political leaders seem to have lost the *patriotism* of statesmen, that an immediate and simultaneous *appeal* be made *at once* to the *whole people*. If Congress delays action upon your resolutions, then proceed by the way which the loftiest patriotism suggests,—*private action*. Apply to all true patriots of our beloved country, and let the expense be borne by them. I will give my mite cheerfully. I would that the hearts of our people, of every sex, age, and condition of life,—the *national heart*,—be fully allowed utterance, and avow their fraternal love to each other, and their *unalterable* devotion to their country, its Constitutions, and laws,—their firm resolve to accord to all their brethren their *rights* for the future, and their earnest desire for the restoration of peace. Oh, yes, summon to your aid all

patriots to the standard of our country,—from the North, the South, the East, the West,—meeting them in council, and, animated by fraternal love and devotion towards each other, and lovingly forgetful of the past and of the present, resolve to redress all grievances, real and imaginary, that any portion of our people have a right to claim. That Almighty God may *aid* and *inspire you*, that you may continue to discharge your *high duties* in this dark hour of your country's trial, and that your noble efforts in her behalf may be crowned with success, is my sincere prayer. I have the honor to be, dear sir,

Your servant,

LEONARD MYERS.

(Harry Conrad to J. J. Crittenden.)

PHILADELPHIA, January 5, 1861.

Hon. J. J. CRITTENDEN.

DEAR SIR,—The resolutions offered by you will be indorsed by the people of Pennsylvania by two hundred thousand majority, if we can get a vote; on this you may rely. As I am unknown to you, you can, by inquiring of either of the representatives from this city, ascertain that I am not the person to make such an assertion without due consideration.

God grant that your noble and patriotic efforts to bring peace to our beloved country may be successful. It will be the noble crowning of a noble career.

I am, with great respect,

HARRY CONRAD.

(George K. Shirley to J. J. Crittenden.)

January 17, 1861.

DEAR SIR,—*Persevere* in your noble efforts to save the “old ship of state.” You have the eternal gratitude of *thousands* of *thousands* of young Democrats north of “Mason and Dixon,” who will fight for your compromise to the death.

Sincerely yours,

GEORGE K. SHIRLEY.

(George S. Bryan to J. J. Crittenden.)

CHARLESTON, January 6, 1861.

MY DEAR SIR,—I write you a very brief line, to beg you to exert any influence you have—and it must be great—to prevent any vessel from being sent into our harbor. The peace of the country depends upon it; and, what is even of more consequence, priceless as peace is, all chance for the *Union*. Our people will not bear a menace, and if a vessel is sent to reinforce Fort Sumter, they will strike, in my opinion, if it cost a thousand

lives. Receive this from one infinitely indebted to you for your boundless efforts to keep the peace and preserve the Union, and believe him to be ever faithfully in the bonds of the Union,

Your friend and fellow-countryman,

GEORGE S. BRYAN.

Hon. J. J. CRITTENDEN, U. S. Sen.

On the 3d of January, 1861, Mr. Crittenden offered a resolution to the Senate and House of Representatives, that provision be made by law, without delay, for taking the sense of the people and submitting to their vote the resolutions he had offered on the 18th of December, 1860, as the basis for the final settlement of the disputes at that time disturbing the country and threatening its existence. He said, in a speech made on the 1st of January, that he had no hope that the amendments he had proposed to the Constitution could obtain a majority which would recommend them to the States for their adoption by convention or legislature; he therefore made this motion for a reference to the people. Extraordinary circumstances had induced him to attempt so extraordinary a resort. Amendments could not be recommended except by a two-thirds majority, and *that* he could not hope for. He now wished to invoke the judgment of the people upon that great question, on which their government depended. He considered the people the great source of all political authority. "The government was theirs, the Union was theirs, we their representatives. This mode was not forbidden by the Constitution. Some gentlemen are averse to compromise. Well, these amendments might be called a compromise." He thought they might, with equal propriety, be called an honest adjustment of rights. "All human life is but a compromise; from the cradle to the grave every step is a compromise between man and society. In respect to the compromise of a lawsuit, a man purchased his peace, and certainly there was nothing dearer. If there were no compromises, all important questions would be settled by force or war. Could the present majority plead a conscientious scruple as an apology for usurping all the territory of the country,—monopolizing all the common property? If men can make titles to common property in this way, this anti-slave dogma is a great nursery for conscientious scruples."

(Thomas H. Clay to J. J. Crittenden.)

MANSFIELD, NEAR LEXINGTON,  
January 9, 1861.

MY DEAR SIR,—As it is possible that some terms of compromise—either your own, which, as far as I can learn, meets with the approval of a large majority of the conservatives of the country, or some other—may be adopted before the meeting of our legislature on the 17th inst., I have forborne to write to you, hoping and trusting that a majority of our legislature will be found, at this crisis, Union-loving, and resolved to stand by the "Stars and Stripes" to the last. But I do not know what appliances may be resorted to.

Our governor, in a recent letter to the Alabama commissioner, avows himself favorable to a Southern convention. I cannot go for this, viewing it as sectional.

There is also much mooted a call for a convention of the people of Kentucky. Under the present excited state of the public mind, I do not view this as either wise or proper.

I should be pleased to hear your opinion on these two points, viz., a Southern convention and a State convention.

For God's sake, and for the sake of humanity, persevere in the noble efforts at conciliation.

Can it be possible that this Union is to be destroyed by demagogues and political empirics? Forbid it every consideration of patriotism and humanity.

Yours sincerely,  
THOMAS H. CLAY.

Hon. J. J. CRITTENDEN.

P.S.—I am afraid that our friend, Governor Letcher, is near the time of his departure from among us, as I have received on yesterday a letter to that effect.

T. H. C.

(Robert Anderson to J. J. Crittenden.)

FORT SUMTER, S. C.,  
January 12, 1861.

Hon. J. J. CRITTENDEN, U. S. Senator.

MY DEAR SIR,—My friend, Robert Gourdin, Esq., of Charleston, South Carolina, will, I hope, start as soon as practicable to Washington on a mission of peace. God grant that the shedding of blood may be avoided. I am doing, and shall continue to do, all that honor will permit to keep the peace here.

I need not appeal to you to exert your influence towards the same result, as I know that no one would be firmer or more resolute in maintaining peaceful relations with our sister States than yourself.

My brother will see you with Mr. Gourdin; and it will give

me great pleasure to learn that you have all worked together in so good a cause.

God save our poor Union from fratricidal strife.

Your friend,

ROBERT ANDERSON.

(In Senate, January 16th, 1861. Slavery Question. Amendments to Constitution.)

Mr. Crittenden.—Mr. President, the resolutions which I offered provided no mode pointed out in the Constitution to let the people vote in each State for or against these amendments; but the senator from Pennsylvania (Mr. Bigler) has been so good as to introduce a bill here prescribing the manner in which the vote shall be taken,—as it was taken at the presidential election, and by the same officers.

Mr. Simmons.—Mr. President, I think I shall not utter a sentiment in which the senator from Kentucky will not agree. If I do, I will take it back immediately. He and I have lived too long together for me to say anything disrespectful to him. I never had any uneasiness in reference to him but about one thing, and that was about my children.

I was not afraid that they would love him any better than I did, but I *was* afraid that they would love him better than they did me [laughter], and that is really the case with all Rhode Island.

There is no Prince of Wales, or his mother, or any other crowned head of Europe, that Rhode Islanders would travel so far to see as they would to see the senator from Kentucky (J. J. Crittenden). This is so now, and it has been the case for a quarter of a century.

(Horatio Seymour to J. J. Crittenden.)

BUFFALO, N. Y., January 18, 1861.

Hon. J. J. CRITTENDEN.

DEAR SIR,—Though I have not the pleasure of a personal acquaintance, I am, in common with thousands of your countrymen, an admiring observer of your patriotic and Herculean efforts to rescue our beloved nation from threatened destruction. I trust I will be pardoned for presuming to address you.

I am satisfied that your great measure of reconciliation strikes the *popular heart*.

But I mainly wished to say, that the proposition of Hon. Mr. Bigler, to have what I suppose your bill (with some unimportant modification) *submitted to the people*, is here regarded vastly important. Could that be effected, all would be well. The Republican leaders at Washington, with their present surroundings, and the influences of an incoming administration,

entirely lack courage. But could the people have an opportunity to speak on this subject, those gentlemen would hear a voice which would not be misunderstood. I feel perfect confidence that New York would give one hundred and fifty thousand majority for this measure.

You, of course, understand that thousands and thousands voted for the Lincoln ticket, *in this State*, who had no partiality for, or confidence in, Republican doctrines. They, however, judged that success of the Union ticket here would, at best, throw the election into the House, and possibly result, after bitter animosity, finally in the selection of Mr. Lane by the Senate.

From their point of observation this large class regarded the evils of Republicanism more tolerable than those of Yanceyism,—the election by the people of a candidate they did not approve, less disastrous than a long, embittered, congressional contest.

This fact, together with the immense change in public sentiment since election, render it, to my mind, a moral certainty that a *popular vote* would insure the triumphant adoption of your proposition.

Besides, I have some hope that Republican Congressmen who, from various motives, dislike to *vote directly* in favor of the measure, may yet be quite willing to throw upon the *people* the responsibility, and be guided by such decision.

And should the Northern vote (which is not among the possibilities) reject so fair a compromise, then the entire Middle States, whose sentiments you so nobly vindicate, would be amply justified, before the world and posterity, in casting their lot with their more Southern brethren. In such event, too, the line of duty and action for Northern conservative men would be more clear and defined. Give the people once a chance to *vote* on that bill, however, and that contingency will never occur. Their decided approval will forever end this miserable agitation.

Excuse this lengthy epistle, and God grant there yet may be sufficient sense in the halls of Congress to sustain your just recommendations.

With great respect, I am yours,  
HORATIO SEYMOUR.

(In Senate, January 18th, 1861. Constitutional Conventions.)

Mr. Green, of Missouri, introduced the following resolution:

*Resolved*, That for the purpose of protecting the rights of all the people and of all the States, so far as devolves upon federal authority, and to maintain the Union in its purity and excellence, or, failing in that, to provide for peaceable separation, it

be and hereby is recommended to the several States to take immediate steps, by convention or otherwise, and make such propositions to the several States, each to the other, or by the conventions of States, as may best conduce to the restoration of harmony consistent with the principles of justice and equality to all.

Mr. Crittenden.—Mr. President, I wish to say a word in reference to the resolution, *not* to debate it, but to signify to the honorable gentleman from Missouri that I feel myself a little constrained in respect to this resolution. I would gladly perform towards him and towards every other of my brother senators any kindly act of courtesy, but I cannot vote for a resolution, in any form, to make preparation for the separation of the States of this Union. I will not anticipate such a contingency. I will not seem to recognize the probability, even the possibility, of such an event. I will not vote even in this indirect manner for a proposition that implies its possible dissolution, much less makes provisions for it. For this reason, and this only, I shall vote against referring the resolution to a committee of inquiry. I hope the Senate will consider gravely. Are we here already to assume the dissolution of the Union, and to provide for the wreck? Is the Senate of the United States to be employed in that manner, presupposing, implying, granting, in the face of the whole world, that the imminence is such, the probability of danger such, that we are called upon, not in our capacity as senators, for as such we have nothing to do with it, but as men exercising, however, an official authority to provide for the destruction of that very Union that we are sent here and sworn to maintain? I can, I will, give no such vote, sir.

(In Senate, January 21st, 1861. Slavery Question.)

Mr. Crittenden.—What is the question?

Mr. Polk in the chair.—The question is that the subject be postponed till Wednesday at half-past twelve.

Mr. Crittenden.—And the reason assigned is that the Pacific Railroad bill is set for to-morrow. Sir, I do not intend to continue this debate. The question is probably in the hands of the friends who sit on my left [alluding to the Republican senators]. Shall this great subject be postponed and a railroad bill be preferred? Do you intend, gentlemen, do you desire—I am sure you do not—to manifest to the country your indifference to the great question of our national difficulties? Is it indifference to the Union? This is the question. You must decide it. I am content to see questions of this sort in your hands, to be decided by you. Notwithstanding all the votes which have been given, I have confidence in you. I think I can answer

the question of my honorable friend from Virginia, when he asks, Who is here for the Union? I hope we who are now here, every one of us, will continue to the end of the session, and that in the mean time we shall re-establish the bonds of national and fraternal brotherhood. I hope we shall see those who have gone out of this chamber return, and rejoicing in that reunion which is to take place. This must be done by some action in Congress, to satisfy (it may be) the susceptibilities or the apprehensions or claims of those who are gone. I think it will cost nothing to grant this. I think it will be granted, notwithstanding all the inauspicious appearances now presented. I believe we will come together in peace and brotherhood as heretofore. I hope the motion to postpone will not prevail. It may be of but little significance, but it will harden the public feeling North and South to see this treatment of this great subject. Let us arrive at some decision; and God grant that it may be conciliatory and compromising.

(In Senate, January 23d, 1861. Postponing the Joint Resolutions of Senator Crittenden.)

Mr. Crittenden.—I hope this will not be postponed. The gentleman from Pennsylvania has perhaps given good reason why his bill ought to be taken up; but he has given no reason why these resolutions ought to be postponed. I think he can hardly contend that the subject to which the bill relates is of more importance than that to which the resolutions relate. There is no reason—there can be none—for postponing them for any business of the Senate. He proposes the tariff. Well, sir, it is a melancholy question to ask, but we are compelled to ask it,—To what part of the United States would this tariff apply? What ports? What harbors? These are important questions, sir. Let us settle the questions relating to the stability of the Union, and then adopt a policy on the tariff.

Mr. President, I think that the resolutions I had the honor to submit, considering the subject to which they refer and the condition of the country, are entitled, before all other subjects, to the consideration of the Senate. I do not wish to be importunate about this matter. I feel it my duty to be urgent, and feeling thus, I often, no doubt, make myself disagreeable to gentlemen who have favorite measures to propose by continually asking for the consideration of this subject. I do this as a duty. While I am up, sir, I desire to say another word. On a former day, in the Senate, while we were in secret or executive session, I made some remarks on subjects then before the Senate. This was in secret session. I understand that something purporting to be a speech of mine, delivered on that occasion, was pub-

lished a day or two afterwards. I do not know that any one would be so fairly an object of suspicion as I myself. It might be thought that I connived at, or authorized, or assisted its publication. I cannot think that any of my brother senators would suspect that I had any agency in this publication. I take this occasion, and I feel it to be a duty to myself, to say that I not only had no agency in it, but I consider it a violation of the rules of the Senate, and the publication should be looked upon as spurious. I have not seen it; I have not read it; and never intend to read it; nor willingly to hear a repetition of its contents. I gave no countenance to anything published in this way, in violation of all rule. I disavow it. It is made by no authority entitled to credit or belief.

I have heard casually that I am represented as having, in that speech, advocated strongly, indeed fiercely, the policy of *coercion* in respect to the seceding States. Mr. President, I did no such thing,—and you know it. I did say that in my judgment the Congress of the United States had the power, but the exercise of it was always a question of *expediency*, and that there might be cases to which that power was plainly applicable, and where it ought to be exercised,—no one can be at a loss to imagine such cases, arising in either States or Territories. If the District of Columbia was to undertake to secede, and give us notice that, having resumed her ancient sovereignty, she desired us to abandon the Capitol, does any man suppose that the government would acquiesce in such a proceeding? or if persisted in, would not employ force to put it down? Certainly not. I expressly said that *now* was not the occasion for the application of any doctrine of *coercion*, but by some strange misunderstanding I am represented as a determined and fierce advocate of coercion upon the seceding States.

I said the direct contrary.

(In Senate, January 30th, 1861. Beauchamp and Townsend.)

Mr. Crittenden.—Now, if gentlemen have made their private arrangements, I wish to make a few remarks,—they shall be few. I wish to say a word or two in reply to my friend from Illinois. There never was a case for charity or benevolence or softening the rigor of justice that did not admit of exactly the argument which my friend from Illinois has made here.

General principles and theories will cut down all this beneficence on the part of society or on the part of legislation. The general theory upon which the general rule is made is, of course, sustained theoretically upon all these grounds.

The application for particular redress, or for particular indulgence, is founded upon the circumstances of the case. It is

easy to say, "If you grant the request here, you may set aside all your laws upon the subject." There is no soundness in the argument. Now, sir, here is an old man. I know him. An honest, worthy, plain, old farmer, whose experience in the world has been pretty much limited to his few acres of ground and their cultivation. A son of his is unfortunately betrayed into a crime. The father, swayed by natural affection, governing above and beyond all reason, becomes his son's bail. The son absconds. My friend says, "Let the penalty of the government be exacted." If you exact it, as the petition shows, besides the mortification that has visited the honest household of the old man for the crime of the son, his wife, and other children are turned out-of-doors, and he is reduced to poverty. Sir, what father, under the circumstances, could do otherwise? Nature herself betrays him into it. The criminality of the son renders the penalty doubly severe. Will you not rather suffer this petty offense to go unpunished, so far as regards this honest old man, than that he should be entirely and utterly ruined? This is the question. Let the Senate decide.

Mr. Clark.—Will the honorable senator from Kentucky allow me to ask whether the court had any power over this bailbond to relieve it?

Mr. Crittenden.—No, sir. The court had no power, and the President had no power. I was privy to the old man's journey all the way to this city. He came, during this inclement winter, from the uttermost part of Kentucky to apply to the President of the United States for mercy,—he made his appeal to him. I can tell the gentleman the court had no power; and the President declined to interfere because he was informed by the Attorney-General that he had no power in the case. For these reasons the subject is brought before you. Let the Senate decide.

(In Senate, February 9th, 1861. Proceedings of Meetings, Conventions, etc.)

Mr. Crittenden.—Mr. President, I desire, as the question has been for some time pending before the Senate upon the petition I presented, that it may be allowed now to supersede the present question and be decided. I am clearly of the opinion that wherever such papers are directly or indirectly, by plain intention if not by word, intended to be addressed to the Senate, they come within that provision of the Constitution which allows petitions, and which declares that no law shall be passed to abridge the right of petition. This is a plain highway, not to be contracted by hedges and fences or technical forms. Sir, the people may come in any form they choose; they are not very stylish people. Many of our constituents are not versed in

the ceremonies and forms and etiquettes by which great bodies are to be approached; but they have a right to express their free will on these subjects in whatever language they may choose. I am glad that the yeas and nays are called for. It is a question of general importance; I can scarcely imagine a more important one. When their government is tottering to its fall, when not only government but society is in danger of subversion, when peace is not only in danger but war stands frowning and confronting us, shall the people be restrained as to any form in which they may express themselves, begging to be rescued from these imminent perils? No, sir; the people are using their privilege—most patriotically are they using it. Morning after morning is consumed in the presentation of their petitions. They have a deep interest in this subject; they feel its importance, and they have a right to make their thoughts and feelings known without trammel or restraint. I vote for receiving their resolutions.

(In Senate, February 12th, 1861. State of the Union.)

Mr. Crittenden, on the 12th of February, 1861, asked leave to present a petition from the people of Massachusetts, praying the Senate and House of Representatives to make a settlement upon the basis of the Crittenden resolutions. He said he was cheered by such a voice coming from Massachusetts in favor of the Union; they had had more than fourteen thousand petitioners from the city of Boston.

Mr. Sumner rose and moved that the petition be printed; said that he understood that the petitioners asked the adoption of what was familiarly known as the Crittenden propositions, and that their best apology for this petition was their ignorance of the character of the propositions.

Mr. Crittenden said in reply that it would be a little ungracious in him to step between the honorable senator and his constituents who had sent the petition. He was surprised to hear the senator, who was, no doubt, well acquainted with his constituents, charge them with ignorance. It was claimed that Massachusetts took a parental care of her people, and that they were more enlightened than the population of any other State. Mr. Crittenden thought that every senator was bound to contribute as far as he could to the settlement of our great national troubles, and if the propositions he had offered were not adequate, why had the honorable senator sat there from month to month and proposed no amendment to propositions which he condemned his constituents for approving? Why did he *sit silent* and *sullen* here for a month or more with a breast full of resentment? [Applause in the galleries.] The senator says

"we want a guarantee for slavery." Sir, the gentleman only half speaks the truth; he states this as though we had risen up here in time of peace to ask an alteration of the Constitution for the purpose of extending slavery. This is not the case.

Mr. Crittenden then turned to the Republican senators: Your platform, gentlemen, is a little thing of but a hand's breadth, manufactured by a few politicians. You are governing a great nation. Are you to look to the platform or to the nation? You are pledged to preserve the Union of this country. Devotion to the Union was assumed by you as the peculiar duty of your party. That is forgotten. When you cannot preserve every little peculiarity of doctrine (not belonging to the Constitution) which you entertain, you let the Union go. You call this a compromise, and then make war upon the word you use. I am an advocate of the Union. I do not hate the North. I love the South. Why is it that gentlemen are impatient when anything is said with regard to the preservation of the Union? We know that resolution has already dismembered the land.

Mr. Sumner rose and said he wished to make two remarks in reply to Mr. C.: The Senator from Kentucky is not aware of his own popularity in Massachusetts—of the extent to which his name is authority there, and of the willingness of the people to adopt anything that bears his name; he is not aware how easily the people of Massachusetts may be *seduced* to adopt any proposition of his. If they examined the proposition, they would reject it. Another point: If I understand the senator, he intimated that his propositions, at least in his own mind, were not applicable to territory *hereafter acquired*.

Mr. Crittenden.—No; I do not mean to be understood as saying that I said *that proposition* was not an *essential part* of mine. If I found it unacceptable, I would not insist upon it; it should not be an obstacle to adjustment. I would strike it out if necessary. I did, upon the motion of my colleague, vote for his amendment, and would be *content with it*, but subsequent reflections and the objections made to it have satisfied me that I ought not to adhere to it if it would become an obstacle and prevent the passage of the resolutions.

(A. T. Burnley to J. J. Crittenden.)

FRANKFORT, February 12, 1861.

MY DEAR MR. CRITTENDEN,—By reference to the proceedings of our legislature, just adjourned, you will see that they have done nothing to compromise the proud position which, much under your advice, Kentucky has assumed in the present perilous condition of the country.

Impressed with the importance of the services you have already rendered to the country, and deeply regretting the fact that your official connection with the federal government is so soon to terminate, a general and a strong desire that your services may still be secured to save the imperiled Union, led to the introduction of a resolution in the Senate, requesting you to remain in Washington, or to visit other States, where you think you can be of any service to the great cause, as long as you may think you can do any good. These resolutions passed the Senate by a majority of twenty-eight to six, but unfortunately reached the House on the last day of the session, when it required a majority of two-thirds to suspend the rules and take them up. Consequently, a few malcontents, and a few others who would not have dared, upon a direct vote on the resolutions, to vote against them, voted against suspending the rules, and thus prevented a vote upon the resolutions. In that vote there was a majority of six in favor of the suspension; and thus you are virtually, though not officially, requested to remain, and do what you can for the country as long as you think you can do any good. My opinion is that, under the circumstances, you ought to consider yourself virtually requested by the legislature to remain in the service of the State to the last minute you think you can do any good; and such is the opinion of all your friends with whom I have conversed. I wish, therefore, that you will reply to this letter (or perhaps it would be better to address it to a more known and prominent man than myself), stating your observance of what the legislature has done, and your determination, regardless of your own convenience, to stand by the country and struggle for its integrity and unity as long as there is the least hope for its preservation, with authority to publish your letter. Since the death of our old friends, Carnal and Letcher, I never wanted to see you at home as much in my life; but I am willing never to see you in this world again if you can save the Union, which I sincerely believe you have more power to do than any hundred in the United States. My kindest regards to Mrs. Crittenden, and I beg you to believe me always

To J. J. CRITTENDEN.

Your devoted friend,

A. T. BURNLEY.

## CHAPTER XV.

1861.

Invitation from the Board of Aldermen of Boston to visit that City—Thanks of the People of Virginia for his efforts to bring about an Honorable Peace—Invitation to Philadelphia, and Approval of the Compromise Measures proposed by Mr. Crittenden—House Resolutions, March 2, State of the Union—House Resolutions, Credentials of J. C. Breckenridge—Joint Resolution, Mr. Crittenden's Last Speech, and Farewell to the Senate.

(George T. Curtis to J. J. Crittenden.)

BOSTON, February 12, 1861.

MY DEAR SIR,—The Board of Aldermen of this city unanimously adopted a resolution, yesterday, inviting you to visit Boston, after the adjournment of Congress, as the *guest of the city*. It will pass the Common Council on Thursday evening, and the mayor will communicate it to you immediately. I hope you will accept the invitation, and give our people an opportunity to thank you for your public services.

We shall do this thing handsomely, if you will let us. Don't refuse.

Your visit will do good here and elsewhere.

With kindest regards to Mrs. Crittenden, always faithfully  
your friend,

GEORGE T. CURTIS.

Hon. J. J. CRITTENDEN.

(In Convention, March 11th, 1861.)

*Resolved*, That the thanks of the people of Virginia be, and they are hereby, most cordially tendered to the Hon. J. J. Crittenden, for his recent able, zealous, and patriotic efforts in the Senate of the United States to bring about an honorable adjustment of our national difficulties.

A true copy.

JNO. L. EUBANK, Secretary.

(Josiah Randall and others to J. J. Crittenden.)

PHILADELPHIA, January 12, 1861.

DEAR SIR,—A mass-meeting of the Democratic citizens of Philadelphia has been called for Wednesday evening next, the

16th inst., at seven and a half o'clock, at National Hall. The call embraces within its terms all those who may be desirous of co-operating with them at this time. The object of the meeting is to give expression to our sense of the wickedness and folly of any endeavor to maintain the union of the States by force, and to express our approval of the compromise measures proposed by Mr. Crittenden in the Senate of the United States. We have been instructed to extend to you an invitation to be present and address our citizens upon this occasion. We hope that you will comply with this request.

We remain, with respect, your friends and fellow-citizens,

JOSIAH RANDALL,  
VINCENT L. BRADFORD,  
SAMUEL MEGARGEE,  
ROBERT V. KANE,  
A. C. CETTI,  
JOHN SAMUEL.

To Hon. J. J. CRITTENDEN,  
U. S. Senate, D. C.

(Edward Everett to J. J. Crittenden.)

BOSTON, February 16, 1861.

MY DEAR SIR,—I promised our worthy mayor that I would write you a line, urgently requesting you to accept the invitation extended to you, and to Mrs. Crittenden, to visit Boston after the adjournment. You will receive a most cordial welcome, public and private, and confer the greatest obligation upon our political friends, who are extremely desirous to greet you. As soon as I heard that such an invitation was contemplated, I told the mayor I should claim Mrs. Crittenden and yourself as my guests. This he will not hear of; but insists that you shall be entertained at one of the great hotels as the city's guests. If, after your public visit is over, Mrs. C. and yourself would secede from the hotel, and pass a few days more privately with me, I should deem it a great favor.

I remain, dear sir, with great regard, sincerely yours,

EDWARD EVERETT.

Hon. J. J. CRITTENDEN.

On the 1st of March, 1861, the propositions of the Peace Congress or Convention were before the Senate. The majority of the Senate was opposed to any compromise, and one subterfuge and another was used to annul the convention and discredit their proceedings. Mr. Hunter declared that the propositions had been voted upon in the convention, section by section, and not as a whole, and he made a proposition to

amend by inserting the resolutions of Mr. Crittenden, upon which many of the border States had said they were willing to settle. Mr. Crittenden said the Peace Congress had made known the result of their deliberations and their will through their president and secretary. Their resolutions had the sanction of the majority of the convention. He said he would not stop to inquire whether he liked the resolutions better than those proposed by himself, or the amendments offered by the senator from Virginia. He declared he was for peace and for compromise; that he had not an opinion on the subject that he would not be perfectly willing to sacrifice to obtain any reasonable measure of pacification that would satisfy the majority. He felt no selfish attachment to any of his opinions. "Senator Hunter offers my own propositions as an amendment to this. I shall vote against my own propositions!" At this moment there was loud applause in the galleries, and Mr. Mason said he would be constrained to require that the galleries should be cleared. Mr. Baker hoped the galleries *would not* be cleared; that the admiration of a noble sentiment was never out of place. Mr. Crittenden declared he would vote for the amendments proposed by the convention,—they came from an authority much higher than himself, from a hundred and thirty of the most eminent men of the country. He thought no senator should compare the little atom of his production with the great end and object proposed to be attained for the nation. Mr. Crittenden's settled policy was to have no *more* territory. He believed the magnitude of the territory we had already acquired was our great trouble,—he wished to beware of national aggrandizement. These resolutions he thought sufficient for the dreadful occasion. If we could be free from this, he was willing to meet the perils of every day as it came. He said he had no hope for his own propositions; they had not secured the favor of his colleagues from the North, and their sanction was necessary to give them effect. All his hopes of peace were now fixed upon the terms proposed by the convention.

After a long and exciting debate, Mr. Crittenden expressed his conviction that the propositions of the Peace Convention could not be passed. Gentlemen were very zealous in keeping up these propositions merely to strike a blow at others; pre-

tending to favor a thing they meant to *trample upon*. In his opinion, the best way of manifesting their respect for the propositions was to vote for them.

It was Saturday night, and the session drawing to a close. Mr. Crittenden proposed that the Senate should adjourn to meet on Sunday at eleven o'clock. Mr. Bright approved this, and said it had been done before. Several senators objected. Mr. Crittenden thought it was necessary; that if we might help an ox out of the pit on Sunday, we might surely try to help a nation out of its difficulties. He thought he had a proper idea of the uses to which the Sabbath-day should be applied; it was the last day of the session and might be the last of the Union.

Mr. King said, "The Sabbath-day is no day in law for business, and I hope the Senate will not proceed in open violation of the Sabbath."

Mr. Crittenden.—The meaning of all this is that the Senate shall not have the responsibility of voting on the House resolution. There are many senators here who voted to-day for the second reading of the resolution, and many senators who are here now have made it necessary to sit to-morrow. They have erected a perfect security to themselves against being called upon to take the responsibility of voting on it. That is the meaning of it. Violate the Sabbath! You are keeping the Sabbath holy,—holier than you have ever kept any day in the week by serving your country on that day, endeavoring to save it from bloodshed and ruin! This is the question! Will you keep a nominal observance of the Sabbath which may produce such results?

(In Senate, March 2d, 1861. State of the Union.)

Mr. Crittenden.—Mr. President, I shall pursue, on this occasion, the course I have pursued throughout. My object is to attain a great end, and, if possible, to give entire satisfaction to the country, and restore it to peace and quiet, or to go as far in that direction as it is in my power to go. I shall vote to take up the resolution of the House, because we can act upon it immediately. I am an advocate of the resolutions from the Peace Conference. I have shown it. I have expressed my determination to vote for them, and I will do so; but I confess that I feel somewhat as the gentleman from Illinois does, surprised at the great zeal with which gentlemen want to keep up these propositions, merely to strike a blow at others, claiming a precedence for a thing they mean to trample upon. Sir, the way to mani-

fest respect for their proposition is to vote for it. I do not *understand* this sort of proceeding on the part of gentlemen who desire to afford any means of pacification to the country. I am for the resolution of the House, and I hope the Senate will vote upon it. We can act upon it, we can vote upon it, and we know well that we cannot pass the propositions of the "Peace Conference." There are but two hours more of session in the other House, from ten to twelve o'clock, on Monday morning. I cannot indulge in a hope, sanguine as I have been throughout, of the passage of these resolutions; and indeed the opposition here and the opposition on the Democratic side of the chamber to these resolutions, are confirmation strong as proofs of holy writ that they cannot pass. Do gentlemen want to press them forward in order to prevent a vote on this resolution of the House? I hope not. I hope the motion of the gentleman from Illinois will prevail, and that we shall take up the House resolutions.

The secretary now read the resolution, as follows:

*Resolved*, That the following article be read to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid, to all intents and purposes, as part of the said Constitution, namely, Article XIII. No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere within any State with the domestic institutions thereof, including that of persons held to labor or service by the laws of such State.

Mr. Pugh.—I think it was De Quincey who said, that next to the duty which a man owes to God, and his country, and his family, it was his duty to preserve the purity of his mother-tongue. The Constitution of the United States is written in excellent English, but if this amendment be expressed in the English language, or by any rule of grammar, I do not understand it. If any senator can reconcile it by any rule, I shall be happy to hear it; but I do not wish to set an example to our children of putting into the fundamental rule and organization of government such a shocking example as the House of Representatives has now sent us. I move to strike out the words "authorize or;" that, at least, will make it English.

Mr. Douglas.—Mr. President, I will only say, I hope no amendment will be made. The resolution is clear and specific. No one can fail to understand it. An amendment sends it back to the House, and defeats the measure. I hope all who are in favor of the proposition will refuse to amend it.

Mr. Crittenden.—Mr. President, I can bear with bad English

when it expresses a good thing. I prefer bad English expressing a good thing to good English expressing a bad thing. I am content to take it as it is, and I hope my friend from Ohio will be reconciled to it. But why shall we put this resolution at hazard by an amendment to correct some misprision in language? It is but an awkward and bad expression. Its offense is not that it is false grammar; in my opinion it is only an ungraceful expression. It is as much as to say that no future amendment shall authorize Congress, or give power to Congress, to do so and so. My friend from Ohio is mistaken in saying that this is of no consequence. It is true it does not cover the whole ground, but it covers a part of it, particularly in the present condition of our country. There are seven out of the fifteen slaveholding States that we may consider as seceding. This leaves but eight in the Union, so that already the non-slaveholding States have a two-thirds majority. With this great majority the slaveholding States have increased apprehensions; they only ask, for their satisfaction, an increased security exactly proportioned to their altered condition in the Union. It seems to me this will be manifesting some sort of disposition to satisfy and content them, and in that view I hope it will be adopted. But, unless some gentleman will change his vote, the question is decided. On a mere question of grammar and correction of language, we put this joint resolution at hazard. I move that the vote adopting the amendment be reconsidered.

(In Senate, March 2d, 1861. House Resolution proposing Amendments to the Constitution.)

Mr. Crittenden.—Mr. President, the debate has been of a character so discursive that the Senate will scarcely recollect the question that is now before them. The original subject of debate was the resolution from the House of Representatives proposing an amendment to the Constitution, the effect of which is to render the Constitution unchangeable in its negation of power to this government to interfere with slavery in the States. That far it is an additional security. If the present border States are to remain a portion of the Union, they will be but as eight to perhaps twenty-five in a very short time. Is it not manifest to gentlemen that the altered condition of things would require some additional guarantees for the security of their property,—this peculiar and special property,—the object of such dislike and opposition to our fellow-citizens of the North? Why should we reject it? It does not give all the satisfaction we desire; it is a remedy entirely inadequate to the whole cause of complaint; but it removes our apprehension of portions of our people. Why reject it? I apprehend you can

have no objection to granting this, as you continually announce here that it is exactly in accordance with your feelings and purposes. But some gentlemen say "they will give no bonds for their good behavior." How inappropriate is this language to the argument! They would have us go upon the principle of confidence altogether. If so, let us throw aside all constitutions. What are they made for? Are they not mutual bonds between different portions of the country? This is no otherwise a bond than every other provision of the Constitution is a bond. All gentlemen profess not only to regard but to reverence that bond as sacred, to be held inviolable; and yet, when an altered condition of things manifestly requires, when logical conclusions from its own principles would lead to the extension of the security given in the Constitution itself, gentlemen say that they will bind themselves to no bonds for good behavior. Senators, I leave you to judge how far *that* is an answer to be accepted. I am sure the Senate of the United States will not give this answer to such a proposition. I have intended and desired to make a few remarks on this subject, but at this late hour I hate to practice such an imposition upon the Senate.

Mr. Bigler.—Let us have them. I hope the senator will go on.

Mr. Crittenden.—I do not know if we are to sit here all night, or to adjourn for an evening session to-morrow night; if so, I would rather postpone these remarks until to-morrow; but it is of little consequence and importance as to the remarks I wish to make. They are the *last I ever expect to address to the Senate of the United States.*

(In Senate, March 2d, 1861. Credentials of J. C. Breckenridge. Joint Resolutions.)

Mr. Crittenden.—Before I proceed, I desire to present to the Senate the official evidence of the election of Hon. John C. Breckenridge, now Vice-President of the United States, as a Senator elect to the United States Senate from the State of Kentucky, as my successor. He succeeds to a post of great difficulty and high duties. I have no doubt that he will, and I hope he may, occupy the seat much more successfully than I have done for the good of our common country.

The credentials were read, and ordered to be filed.

The presiding officer.—The joint resolution to amend the Constitution of the United States is before the Senate as in committee of the whole.

(Mr. Crittenden's Farewell to the Senate.)

Mr. Crittenden.—Mr. President, I have not risen with any vain ambition or purpose to play the orator. I have no set speech to make. The subject upon which I wish to address the Senate is altogether too solemn, and too interesting to the country, to be made the occasion for declamation. I do not aim at it. I am a plain man, and wish to speak plainly what I think and believe on this great subject, and I wish to do this with as much brevity as possible.

Nothing is more strange than the great and deplorable change which has taken place in the United States within a few months. A short time since, we were a united and happy people. Occasionally a spirit of discontent was heard to manifest itself in different sections of the country, but we hoped that these agitations would subside, when the great controversy then on hand had passed away. How different has been the result! In these few fatal months we have seen *six*, I may say *seven*, States go out of this Union, and dissolve, as far as they could do so, their constitutional connection with us. Our Union is dismembered. The spirit which produced this fearful result is now making its dangerous progress throughout the country, endangering the stability of other States and their adherence to the Union.

Mr. President, it is an admitted fact that our Union, to some extent, has already been dismembered; and that further dismemberment is impending and threatened. It is a fact that the country is in danger. This is admitted on all hands. It is our duty, if we can, to provide a remedy for this. We are, under the Constitution and by the election of the people, the great guardians, as well as the administrators, of this government. To our wisdom they have trusted this great chart. Remedies have been proposed; resolutions have been offered, proposing for adoption measures which it was thought would satisfy the country, and preserve as much of the Union as remained to us at least, if they were not enough at once to recall the seceding States to the Union. We have passed none of these measures. The differences of opinion among senators have been such that we have not been able to concur in any of the measures which have been proposed, even by bare majorities, much less by that two-thirds majority which is necessary to carry into effect some of the pacific measures which have been proposed. We are about to adjourn. We have done nothing. Even the Senate of the United States, beholding this great ruin around them, beholding dismemberment and revolution going on, and civil war threatened as the result, have been able to do nothing; we have done absolutely nothing. Sir, is not this a remarkable spectacle? How does it happen that not even a bare majority

here, when the country trusted to our hands is going to ruin, have been competent to devise any measure of public safety? How does it happen that we have not had unanimity enough to agree on any measure of that kind? Can we account for it to ourselves, gentlemen? We see the danger; we acknowledge our duty; and yet, with all this before us, we are acknowledging before the world that we can do nothing; acknowledging before the world, or appearing to all the world, as men who do nothing.

Sir, this will make a strange record in the history of governments and in the history of the world. Some are for coercion; yet no army has been raised, no navy has been equipped. Some are for pacification; yet they have been able to do nothing; the dissent of their colleagues prevents them; and here we are in the midst of a falling country, in the midst of a falling state, presenting to the eyes of the world the saddest spectacle it ever has seen. Cato is represented by Addison as a worthy spectacle, "a great man falling with a falling state;" but he fell struggling. We fall with the ignominy on our heads of doing nothing, like the man who stands by and sees his house in flames, and says to himself, "Perhaps the fire will stop before it consumes all."

Mr. President, I impute no exclusive patriotism to one side or the other; but I am sure, that on neither side can there be a single senator who is satisfied with this condition of things. I have had the honor, among others, of feeling it to be my duty to offer propositions of this character,—others have done so. Honorable friends here have made various propositions. My friend who represents the great State of Pennsylvania—the honorable senator who sits before me [Mr. Bigler]—has been among the foremost. The senator from Tennessee [Mr. Johnson] has offered propositions. There has been no want of propositions; and with perseverance and zeal these resolutions have been pressed from time to time, and day to day, with fruitless exertion to obtain, if possible, some system of saving policy out of them or under them. I shall never forget the zeal and the industry with which my honorable and honored friend from Pennsylvania has acted in this great matter. With a zeal untiring and a hope inextinguishable, he has toiled on from day to day with a labor that no other one scarcely could have borne. Yet nothing has come out of all this. Nay, sir, the policy of attempting to make peace, the policy of attempting to offer propositions for reconciliation, has been denounced by a senator from Massachusetts as the most fatal policy that could be pursued. I, for performing the simple act of duty which I have done, have been described as acting here as if I had been commissioned to make peace. Sir, have I assumed any such thing?

Have I done more than other senators have done, more than other senators ought to have done, in attempting, as far as their judgment enabled them to do, to suggest measures which might save the country and put a stop to the great evil which was overthrowing it in every direction? What right had the gentleman to say that I have assumed to come forward as though I had been commissioned? He says also that he does not know whether this is a task which I have voluntarily undertaken, or which has been imposed upon me by others. Sir, I am unable to understand what the senator means by this. I will not suppose that the gentleman had any serious intention of casting any taunt upon me, much less of intimating anything of a dis-honorable or improper character. Who does he think could impose a task on me? What part of my life, what part of my action, has shown that I was a man upon whom others could impose a task? What the gentleman means I do not know. I will consider it all as unmeaning personality, and pass it by.

But, sir, the other question involves something of more concern. Propositions which I have offered, he says, are founded on a policy most fatal to this country. What does the honorable senator mean by this? That nothing ought to have even been attempted? If anything else in place of it would have been proper policy, I should be glad that the gentleman were here to state what that other policy was. It must be to do something, or to do nothing. Few will say we ought to have sat here and witnessed this ruin and witnessed this revolution, and done nothing; that we, the senators of the people, we, the guardians of the Constitution, are to see that Constitution overthrown, and that country that had confided in us brought to ruin, to misery, and to dismemberment, and have done nothing. If the gentleman would do something, what is that something that should be done? Mind, to attempt to make peace by these resolutions is a fatal policy. What good policy, what saving and beneficial policy, would he have us adopt? He has not explained, and I shall not think it necessary to trouble myself further with this part of the subject.

Mr. President, the cause of this great discontent in the country, the cause of the evils which we now suffer and which we now fear, originates chiefly from questions growing out of the respective territorial rights of the different States and the unfortunate subject of slavery. I have said before to my brother senators that I do not appear on this occasion as the advocate of slavery; I appear here as the advocate of Union. I want to preserve that from overthrow; and I am suggesting that policy which, according to my poor judgment, is adequate to the object.

What is the great question out of which this mighty mischief has grown? What is this question about territory? Practically, it is reduced to a very small matter. We have passed through many of these territorial difficulties; we have now arrived at the very last one of them. Neither the climate nor the wishes of any portion of this Union have induced the people anywhere to desire really to extend slavery above the line of  $36^{\circ} 30'$  north latitude. That was the line adopted in 1820 by wise men, who did it not so much with a view to equality of division as they did it with a view to strike upon that line north of which there might be no controversy, and where no such system of labor as that which required servitude could be useful. That has settled, very much, public opinion on that line with respect to the slavery question. We have now much territory north of that line; but there is no pretension to any rights there by those who hold slaves. We have, since that compromise line was first established, acquired territory south of it. That territory south of it is composed of the Territory of New Mexico, and nothing else; and there slavery now exists by law. What is the resolution that the gentleman from Minnesota [Mr. Wilkinson] read yesterday, offered, in 1850, by Mr. Clay, whom he so justly eulogized? Mr. Clay said he would not vote for any specific measure that would introduce slavery into any Territory where it did not actually exist; but to avoid the question and the controversies arising out of it here, he proposed to give to the territorial government ample power on the subject, without any restriction in regard to slavery. In the compromise of 1850 that was done; territorial governments were established, and power was given them over this subject. That was the policy and design of Congress; they wanted to keep the question out of Congress; they therefore left it to the territorial legislature, and that legislature, in conformity to the power given it, has passed a law recognizing and admitting slavery. This may have been right or wrong; I do not undertake to decide that. They acted under a discretionary power given for this very purpose. They established slavery. Its existence there, then, is just as legitimate as its existence can be anywhere by force of local law. Well, what is the question now and always? The South, having seen itself excluded, its system of labor denounced and excluded from all the other Territories of the United States, have supposed their brethren were monopolizing all this description of property,—the territorial property of the United States,—and excluding them. The States holding slaves thought they had as much right as the States that were non-slaveholding had in this common property of the Union. You deny it; you say that you will govern it by an

exclusive, a superior, a sectional power, and exclude a certain class of States who, under the Constitution of the United States, are upon an equal footing with yourselves. It makes to the North, so far as this matter goes, a monopoly of the public territory; it excludes by classes States of the Union equal in all the means of contribution by which these Territories were acquired, their blood and their money having equally gone to acquire them. One section of the Union turns around upon another after they are acquired, and says, "Though acquired as common property by common means, we do not like your system of labor, and nobody insisting upon that system of labor shall settle in the country; but those who adopt our system of labor shall go there." I am not stating this matter now for the purpose of showing that you are absolutely wrong, or that the South is absolutely right. I am stating the nature and character of the controversy.

In the course of this controversy we have come to a point where we are obliged to halt. Party must halt. The controversy has reached the vitals of our country. It is no longer a mere question of party opinions. It is no longer a question of party. It is a question of country and of Union. These points of controversy have reference practically now to no other Territory which we have except the Territory of New Mexico; and to show how infinitely small that is, there is another consideration to which I wish to advert. What are the worth and value of that Territory to white or to black? It is the most sterile region of country belonging to the United States, the least happy. It has been open to slavery for ten years, and there is a controversy, I believe, whether there are twenty-four or twenty-six or twenty-eight slaves within the whole Territory. As I believe, it can never be made a slave State. It is not a country where slaves can be profitably employed; and that great law of profit and loss governs with invariable power and invariable efficacy. Here is a mere question of abstract right, in the deprivation of which the South has supposed itself to be offended, not only in its right, but offended in its equality and in its just pride as States, a whole class of which is suffering a sort of ostracism under the operation of a policy which insists that no one shall adopt there any other system of labor than that which prevails at the North. It may be the better one; but we are all standing as equals under a common Constitution; we are not here upon the original question as to the rightfulness or wrongfulness of slavery, as to the sin of it, the propriety or advantage or disadvantage of it. We are not here upon any of these questions. Rights under the Constitution are in question, and on that question the South insist that they

have an equal right in the Territories to adopt their own system of labor in this common property, as you have to carry with you in your emigration your habits and customs and your system of labor. Which has the advantage of the other? You say that the Southern people holding slaves are very bad fellows for that reason. I shall not argue that. The good man cannot say to the bad man, who has with him purchased a tract of land and has an equal right to it, that is a reason why the good man shall take the whole, and exclude the bad man from the purchase which was made in common by common money. I make these remarks merely to show you that there must be, even in your own judgment, a plausible ground for the claim which these States of the South set up, and that they have at least a plausible subject for discontent. If it be only plausible in your view, in their view it is so just a cause of complaint that it is worth all those wretched evils to which I at first adverted. They would rather go out of the Union than occupy a place in it where they are denied equal rights in all particulars with their fellow-citizens; but they are willing to do, for the sake of peace, what we have done once before for the sake of the same peace, and to avert the same evils. We say now, as we cannot agree upon this subject, let us divide the territory; you go on the one side of it, and we on the other. That was the doctrine held of old. We talk a great deal here about the fathers, about their example. When this difficulty, or one very like it, occurred in 1820,—now forty years ago, and we may well rank as fathers those who were old enough to legislate in this body upon that question then,—what did they do? Did they say as we now say, "No compromise with our brethren; stick to the law; no compromise; let us take all"? No, sir, they made a compromise: you call it a compromise; let us say it is. What does it propose? To give up to you all the territory north? From what I have said before, you may well infer that, in giving that up, the South has only given up a territory where their system of labor cannot avail, cannot exist; but as to the South, it is alone one solitary Territory that we now possess, and that is a Territory where slavery does to some extent exist, where by law it is authorized; and all that we ask in respect to that is, let the condition of things as it is now in that Territory remain as it is. You have now grown greater than those who adopt this system of labor. You have grown great. You have just now triumphed in a great national controversy. The Republican party are coming into power with a President to execute their will, and with a majority here to proclaim the will of the whole nation. Now give us some security that you will

not abuse that power. History is full of examples of the abuse of power by those who have the means of executing it. Strong arms have been the law all over the world much more than written constitutions and right. It may be so in our own country. Does it express any dishonorable distrust of you, any distrust at which you ought to take any offense, real or pretended? Is it anything more than a matter of prudence that great political communities should endeavor to guard themselves against possible injustice and possible encroachment? Upon what principle is your whole Constitution made? It is made to guard your rights. Do you reproach that for its want of confidence in men? It is upon a want of confidence in men that all human law is made. With a perfect confidence in men, why are your laws made against murder, against theft, against robbery? Why do nations all over the world cry out for written constitutions? Why do they ask, give us bonds, against which the senator from Minnesota [Mr. Wilkinson], who spoke yesterday, seems to declaim so much, as if he considered them already as manacles upon his hands? Have not the people a right to suspect gentlemen who hold that sort of language of intending to abuse their power? He will not submit even to reasonable and rational securities to be given to others. He calls it tying his hands, and says that he will not submit to it.

This is a sort of argument that will satisfy no one. It cannot satisfy the honorable senator himself, I am sure, when he comes to think over the argument which he has addressed to us. Here, then, is the controversy. All we ask, all that is necessary, I believe, to settle this great mischief that is now going on in the country is, that you shall agree that in that sterile country, where there never can be any number of slaves—you being in power, you having the power to change everything, even the Constitution itself—you having all power, shall now agree with us that the state of things there shall remain as it is—until when? Forever, the gentleman says. He says it establishes it there forever. It is very easy to make speeches in this round and unmeasured sort of language. Let it remain as it is—until when? Until this Territory of more than one hundred thousand square miles—twice as large as the State of New York—shall contain in its borders a hundred thousand, or a hundred and twenty, or a hundred and thirty thousand inhabitants. Will that require all time? For that short period let things remain as they are just now, that we may not be perplexed with the fear of change from your superior power. When it does come in, as it shall do when it has one hundred and thirty thousand inhabitants, then they will be entitled, and we will give them the right to form themselves into a State and

be admitted into the Union; and when so admitted, they shall have the right to dispose of this question of slavery just as they please; only, for the sake of peace, let this question rest in silence for that short time. Give the country, who are now greatly alarmed and greatly agitated upon the subject, a little repose. Give them time for their confidence to be restored. Give them time for better feelings to take the place of the bad feelings which now prevail. Cease your action for a moment. Give to the nation breathing-time.

What else is asked? This is all; and this is refused. I say this is all; because, in respect to fugitives from bondage, there is no difficulty. That is fixed by the Constitution, and we can settle all that without any danger. What are all the other questions which affect and touch this question of involuntary servitude? They relate to the little District of Columbia, and this is the greatest spot to which they do relate. Now, as to the District of Columbia, how came that to belong to us? How came that involuntary servitude within the District of Columbia to be subject at all to our jurisdiction? By a voluntary cession from the State of Maryland. I speak only of that which we now hold; originally it was larger, and Virginia was one of the grantors. All that we now retain—having relinquished that on the other side of the Potomac—was granted to us by the State of Maryland. Do you suppose, gentlemen, that when the State of Maryland granted that, there was any thought in the mind of the grantor or grantee—of Maryland or of the general government—that any question should ever arise in respect to this slavery which then existed here by the laws of Maryland? Would not some regulation have been made in respect to it, in some way or other, as to how it should be abolished, if it should be done at all, and upon what terms done; or that it should not have been done at all? This is not good faith. No such thing being in the contemplation of the State which granted, or the States which received it, would it not be bad faith to use it for a purpose not within the intention and not contemplated and not thought of by any one of the parties to the bargain? So it would have been in respect to a private transaction, and so it ought to be regarded here. Though the exercise of such a power might not be absolutely unconstitutional by Congress, it would be an exercise of power in bad faith, and contrary to the expectations, and contrary, I may say, to the interests of the party who made it.

Now, sir, all the other places under the special jurisdiction of the United States perhaps do not amount to one hundred and fifty acres in all the Southern States. They are the places for arsenals, for navy-yards, and for dock-yards. They are the

only places which are specially subject to the jurisdiction of the United States in the States; and the proposition only provides that, in respect to those which are in the States, Congress shall pass no law hindering or abolishing slavery there. Is there anything improper in all that? Is there anything of difficulty or question about it? Surely there cannot and ought not to be.

Then I return to the original question: that which respects territory and slavery in connection with it. I have made all the remarks upon that which I intend; and my whole and sole object in those remarks is not to attempt to convince you that the South is right, but to convince you that the South has, at least, some plausible reason to be discontented with any construction which gives you the whole and takes from them all; and that from that discontent and long irritation has now grown this flame which is consuming our country, and has severed from us a valuable and important portion of it. Under these circumstances you are called upon to make this sacrifice. Let this poor sterile country of New Mexico remain as it now is in regard to this vexed question. What said Mr. Clay in the compromise of 1850, when slavery was attempted to be excluded or established in New Mexico? "No," said he, "we will not exclude it; I will not vote for any specific measure to carry it there; others may do that; the people who are to live there may do that; and I will agree to give to their territorial government a power to exclude it or a power to disallow it, as they please;" and so they did. What do I ask of you more than Mr. Clay himself did? He gave them power to establish it there. Now, in the great commotion which exists in our public affairs, when change and the fear of change perplex the whole country, I just ask, let us make one firm point here; let us agree that the state of things in this poor Territory shall remain just as it is; and then our country can be preserved. Was there ever a revolution so permitted to go on,—ever the dismemberment of a great country so allowed to take place,—ever the overthrow of a mighty nation like this allowed, in the face of the whole world, plainly and obviously in the sight of its legislature, and all allowed to go to wreck and ruin, when it could have been preserved in peace by a grant no larger than that which I have shown you? All the gentlemen from those States, I believe, with great unanimity, have said and declared that this compromise, if it could be adopted, or this measure, for I prefer to call it such, would save the secession of the States that have gone out with one single exception, perhaps. But if it be too late now to recall them at once by a mere vote of the Senate upon or for any proposition, you can at least assure the

fidelity and allegiance of other States dissatisfied from the same causes, but yet not willing to let go the banner of their country. You can satisfy and assure them; and by so doing insure their continued attachment and allegiance to the Union. There remain of these States—some of the most important in this Union—North Carolina, Virginia, Maryland, Tennessee, Kentucky, Missouri, Delaware. Is it not worth something to secure them? Or is an idea, is a dogma, to prevail,—a dogma not of the Constitution, a dogma not derived from the Constitution, a dogma having its origin, its whole value, to consist in the peculiar opinions—I will not discuss them—in one section of the country, and which is attempted to be placed above the Constitution, and made an inseparable barrier to those measures of policy which, in the present exigency, seem to be necessary to save the country from overwhelming ruin? “Slavery shall not be extended in any Territory;” yet here I have endeavored to show you, to remove any scruple as far as I can, that slavery does exist there now, and probably to almost as great an extent as ever it will in the future. The dogma, if insisted upon, and the denunciation implied upon a whole class of States, that their system of labor shall be excluded, and they thereby partially excluded, is destroying the equality of the States, is not doing justice to common owners, is a usurpation, and a monopoly by a part of that which belongs to the whole, and which the whole have an equal right to enjoy.

But to take away from it the mischief it might do as a general principle, if insisted upon everywhere, for the peace of the country let that line of partition be made; you take the greater half; you take two-thirds of it all; and say as to the other third, and that the poorest and most sterile and most uninhabitable, which you nominally leave to the South, that the state of things as it now is there shall continue to exist until it becomes a State, when it may dispose of this pestiferous subject exactly as it pleases. That little boon has not been granted. That is too great an offering to make to the safety of the country. My friends, on the right and on the left, is this not a marvel in the history of the world? Gentlemen deny this little item of satisfaction. Gentlemen deny it here, seeing the consequence of it. They see the country going to ruin, limb by limb falling from it, and some of its strongest and most potent arms falling from it, and yet they adhere to a dogma, and refuse the remedy which can avert the evil. Was ever exaction so small to avert an evil so great?

Gentlemen, however, say they will not do this, because they will make no compromise. Gentlemen, if this is a compromise, who offers it? Does the South offer it? Does the North offer

it? There must be two parties to a compromise. Has there been any negotiation between them on the subject? We are one and an integral body, composed of senators of the United States. I have the honor to be one of that honorable body. I offer a resolution. Do I offer it as a compromise? I am not only elected by the State of Kentucky as her representative, but I am the representative, as I understand it, of every State of this Union. I am a senator of the United States; and it is in that right that I offer my propositions here. If those propositions had contained, on any controversy that might have existed, such terms as the North insisted on, whose terms would they have been then? Would you have called them a compromise offered by the North to the South? And yet a Southern senator offered them. No, sir; I offered them as no compromise from the South to the North or the North to the South. I offer them to your wisdom and for your consideration as a measure for the benefit and common good of the whole country. I offer them as indicating the best policy for the whole country; and you call them a compromise, and say you will have no compromise; and petitioners are instructed to say, "No compromise."

Sir, I am very sorry to hear such language employed in a petition from the people, and in such a connection as this. This is no compromise. The petition does not apply to the case. It is a measure of government which I offer as a senator, standing equal and just between the States North and South. I offer it as a measure of government for your good of the North as well as the good of the South. It would have to be a task imposed on me, indeed, though I do not know who could impose such a one, if I were to offer, as a senator of the United States, to this body any proposition of a character so partial and selfish as to amount to an unfair advantage to any part of the country, and to the disadvantage, much less to the dishonor, of another. I would as soon dishonor my fellow-citizens in one section of the country as in another; and I hope and trust in God, neither my principles nor my feelings would allow me to attempt or permit any such thing, either to the one section or to the other section. I have offered it in no such spirit. I am not bargaining for the South or bargaining against the North. I am pursuing a policy which I think the country ought to pursue, and submitting it to your common judgment. By that common judgment nothing can be done, nothing can be granted, and no compromise can be made.

Thirty-seven thousand men from the noble old State of Massachusetts have said, "Let there be no compromise." Nothing is more justly boasted of by Massachusetts than her school-

houses and her churches. Her churches and her school-houses were the first houses she built; and now here have arisen out of these churches over thirty thousand men who, when a great controversy arises in the country, when revolution is seizing arms on every side, and brethren are ready to slay and destroy each other, and when such terms as those which I have endeavored to explain can settle the whole matter, with an apparently pious and religious cry, say, "No compromise; let blood flow; but no compromise." Where did they learn that? Did they learn it in church? Did they learn it in the Bible? The Bible says, "If you bring your offering to the altar, and there remember that thy brother has aught against thee, lay thy offering down; go and be reconciled to thy brother; and then come and present thy offering to the Almighty; then thy offering will be acceptable to thy Maker." Here the pious thirty-seven thousand say, "No compromise; that is the offering we carry to the altar; blood and battle we carry to the altar, and lay there as our offering." That is the bloody trophy they offer up. They say, "No compromise." I have no doubt, sir, there are many venerable and good men among them, because they are neighbors to at least forty thousand Massachusetts men who have petitioned in a very different tone, and say, "Compromise, I pray; make peace with them; let us not slay and destroy one another." That is the language of the petition which I presented.

Sir, if old Bunker Hill now had a voice, it would be, of course, as it should be, a voice like thunder; and what would she proclaim from her old and triumphant heights? No compromise with your brethren? No, sir; that would not be her voice; but I fancy to myself, if that venerated and honored old scene of American bravery, hallowed by the blood of the patriots who stood there hand in hand, brethren of the North and South, could but speak, it would be but one voice, a great and patriotic voice: Peace with thy brethren; be reconciled with thy brethren. It is less than the value of a straw that is asked from you as compromise, and you will not give a straw. You prefer the bloody doctrine of "no compromise; battle first;" and woe be to those who first draw the sword!

Mr. President, I am endeavoring plainly and frankly to present to the minds of my brother senators the view which I take to some extent, perhaps not the whole extent, of what will satisfy the South, and leave it to yourselves to judge how far it is true. Of course, it would be idle in me, and worse than idle, if I were to make an untrue statement, or an unfounded statement, as to the exact merits of this paltry question which now divides us. I do not believe there is a State in this Union, the

people of which would not, upon a fair presentation of this question, put perhaps in less offending language than can be found in some of these resolutions, who would not vote for peace on the terms proposed; who would not grant all that is asked, and more than that, if the consequence on the one side was to be reconciliation and reunion, and on the other battle and blood.

But now, to pass from this view. We are likely soon to part, and what a spectacle do we present! We have done nothing. The country is inflamed, and nothing has been done to quench the destroying fire; yet that is our business here, to preserve the Union, to make the people contented and happy. That is our great and high mission. The country is in flames, and nothing has been done to extinguish the fire. What, senators and Mr. President, is to be the consequence of it? No one can exactly answer; but the question must awaken the forebodings of every man within the reach of my voice. What consequence will follow from our failure to do anything? God only knows. They are fearful to think of, in my judgment. I do not know what they will be. I fear for further revolution; for revolution to such an extent as to destroy, in effect, this Union. I hope not. I would advise against it. I would say to the people, the distraction which exists in the opinions of those that constitute Congress are such that they cannot agree upon any measures now; you may think and feel that justice is denied you; it may be so; but it is denied you by whom? In a time of high party excitement, by one Congress. Your Constitution is so framed as to give to you, in a short period, many Congresses. The power returns to the people of electing their representatives; and this government is worth being patient for, and worth bearing a great deal for. Be patient and bear it, even though you think you are wronged. Rather bear the wrongs you have than fly to others which you know not of. Hold fast to the Union. The Union is the instrument by which you may obtain redress, by which you will in the end obtain redress. Congress may err. It may err from error of judgment, from passion, from excitement, from party heats; they will not last always. The principles upon which your government was founded recognize all these frailties, recognize all these sources of occasional and temporary wrong and injustice, but they furnish a remedy for it. They furnish a remedy in the often-recurring elections which the people make. It is not for the first offense that dismemberment and disunion are justified. Hold fast to the Union. There is safety, tried safety, known safety; and that same Union is the best assurance you can have of eventually obtaining from your fellow-citizens a generous recompense for all the wrongs

you have received, and a generous remedy against any wrongs hereafter.

These are my feelings, and this would be my advice. My advice is that of a Union man earnest for its preservation; and, without the fullness of my heart, the words which I utter are worth nothing. This would be my advice at all times upon this question, and upon every question which threatened the Union: stay in the Union and strive in the Union. We may have had evidences enough here of the impossibility of obtaining any agreement from our Northern brethren to these measures of policy which I have offered. I will not call them a compromise, for that seems to offend gentlemen; though I was willing that each of our brethren, North and South, might think, by the word compromise, that, in a generous and affectionate spirit and sentiment, nominally, at least, he had given up something. But gentlemen object to the term, if the stern, warlike cry of "no compromise" is heard, like the ancient cry of the Roman conqueror. When oppression was complained of, they answered it by a *væ victis*,—woe to the conquered—now translated "no compromise." The *væ victis* of the Romans, and the "no compromise" here, apply to different ages, but they are the same language, and convey the same terrible denunciation,—woe to the conquered; no compromise. Take our dogmas; take our platforms; it is not sufficient that you obey the Constitution; it is not sufficient that you adhere to the Union; go out of the Constitution; go out of the Union; look at our platform; study that; that is the idol to which you must bow down; otherwise, "no compromise"—woe to you. Sir, this is not the language of the heart or of the judgment. It is the language of excitement. It may be uttered by good men; but it is the language of passion. It is the language of excitement. It regards nothing here to be a compromise that is within the Constitution.

These amendments only ask you to make some additions to your Constitution because of the altered state of things. When we met here at the commencement of the session, you had fifteen States which adopted the same system of labor—voluntary servitude. The Constitution was framed to a state of things, when almost every State in the Union, with but one exception, adopted that system of labor. You have now in the Union, of those who acknowledge this system of labor within it, only eight of those States; supposing Texas out. In the old Constitution, when almost all were slave States, you gave guarantees that fugitives from one State to another should be returned. Now there has got up, what is unknown to the Constitution, an agitation against slaveholding, which the Constitu-

tution recognizes, for which the Constitution did not disqualify, or place any inequality upon the States holding it. There have been got up in our country questions arising out of that, beyond the limits of the Constitution, which rest above the Constitution, and which are worked up into platforms, and to which the obedience of all other sections is demanded. Now, my brother senators, is there anything like that in the Constitution, in fact or in truth? Did not the Constitution intend to leave us free on that question as regards ourselves? Did it not intend to leave the States choosing to adopt that system of labor just as free as it intended to leave them in regard to other questions? It seems so to me.

Sir, another reason for my confidence is, that this cry of *victis*, or no compromise, is not the sentiment of the American people. Although we have been unable to agree upon anything here, is it known to any senator, the oldest and the most experienced, either in his own experience or what happened in the country before his time, that there ever was such an expression of public opinion given within so short a time as has been given here in reference to these very propositions? What is the number of petitions forwarded? I suppose, if I should say we have received petitions from not less than a quarter of a million, I should be within bounds. In addition to that, societies everywhere have been petitioning in the name of their whole body. State legislatures have memorialized, and, in fact, petitioned Congress in the name of the people of their States. I do not know how many. The chief agents of the great railroad companies, owning railroads in value to the amount of more than three hundred million dollars, traversing the country from north to south in every direction, have petitioned in favor of the adoption of these propositions of peace, and they, gentlemen of the highest standing and the highest respectability, have declared that, as far as all their travels extended along all these mighty railroads, they have found the people, with great unanimity, of the same opinion, and in favor of the adoption of these propositions.

Now, sir, I do not want confidence in legislators. I have been one of them too often and too long to endeavor to cast any discredit upon them, or the differences of opinion which exist among them. I do not intend to do any such thing; but I intend to say this: that my confidence in the intelligence and public virtue of the people is greater than it is in any body of their representatives. The people have given me assurances upon this subject by these petitions, that right will eventually be done; that they, the true sovereigns of the country, will take this subject into consideration, and that they will not allow

them and their children, and their children's children, scattered about through all this land, to go to war with one another upon such a comparative trifle.

I hope, too, that the South, the State which I represent, and all others, will find in these petitions a generous spirit of fraternity, a generous spirit, a sense of justice, that will remove those misrepresentations which have been so long and so often impressed by party upon their minds, that one section hates another. I do not believe any such thing. I have been to the North, and I have been to the Northwest; I have been to the country of the honorable senator from Minnesota. I observe that the names of the petitioners that he presents are limited to very small pieces of paper, who cry out "no compromise" there. Why, sir, let me tell the gentleman an anecdote which will redeem his people from the unchristian spirit of hostility with which they seem to desire to impress their opinions exclusively upon the minds of all their fellow-citizens, or at any rate not to compromise.

There was a little party of us that were out in the mighty country of the Northwest, amusing ourselves with hunting and fishing and camping about. We got to St. Paul. There was a servant with us that attended our party, and was very useful to us, and enjoyed it about as much as any of the whole party. We found it at St. Anthony so pleasant, and there was such a grand, magnificent, and accommodating hotel there, that we stayed there some time, the servant with us. They did not act in the spirit of no compromise (we will not pull a hair from the head of the littlest dogma that is embraced in the Chicago platform), but they treated us with the most open hospitality and kindness to be found anywhere; and told us particularly, "Take no alarm about your servant; do not trouble yourself about him at all; he is just as safe here as in Kentucky; no man here will disturb him; the town will not permit it." There was not a word said about him; and every man there knew he was there, and knew he was a slave, and there was nothing said about it. That was the sort of hospitality and kindness, that was the sort of compromise, they gave: "Stay; you are our fellow-citizen from a distant land, come among us, and we want to show you that we know how to meet you, and treat our fellow-citizens; we are glad to see you, and there will be no disturbance about your servant;" and exactly did they fulfill their kind and hospitable words. They compromised.

But the senator feels himself called upon not to compromise a great nation; and yet, through this great nation common blood flows. What man is there here that is not of a blood, flowing—meandering—perhaps through every State in the

Union? And we talk about not compromising a family quarrel; and that is to be held up as patriotism or party fidelity. In the name of God, who is it that will adopt that policy? We are one people in blood; in language one; in thoughts one; we read the same books; we feed on the same meats; we go to the same school; we belong to the same communion. If, as we go through this quarrelsome world, we meet with our little difficulties, if we wish to carry with us grateful hearts for the blessings we have enjoyed, we shall be bound to compromise with the difficulties that must occur on all the ways of the world that are trodden by governments on earth. It is our infirmity to have such difficulties. Let it be our magnanimity and our wisdom to compromise and settle them.

Do not believe, my fellow-citizens of the North, my brother senators of the North, that I am urging this upon you as a bargain. I am only proposing the measure which I believe, and which my judgment suggests to me, as most for your benefit, and most for my benefit; most for the benefit of your States, of my State, and of the States of all of us. That is the spirit in which I propose it. I would not take the most paltry right from you to give it to the South. I would not detract a particle from your honor, in order to give anything like a triumph to any section of the country. You are as much my countrymen as anybody. I claim the whole country as my country; and as yet the alienation is not such between us and even these seceding brethren that I could not travel through it, and feel as if I was still in my own country. I feel an assurance that, by a right system of policy here, even they would return. Now, I would have the South, I would have the border States, as they are commonly called, those that yet remain out of secession, to stand by you, trust to you, and trust to the people. A great many, if not a majority, of their Northern brethren have given them assurances of their sympathy for them, and that justice shall be done them. I believe it. They are assurances given by kindness, by patriotism, and will be redeemed; and that kindness, that sympathy, which exists in the North, will attract others. It is the standard of humanity, and the standard of patriotism; and one after another they will crowd around it, until the States shall come and make peace-offerings to their brethren instead of crying out "no compromise." I believe in this. I would have the border States believe in this. Our Northern fellow-citizens have entitled themselves to this confidence by their action upon these very resolutions. Thousands, and tens and hundreds of thousands, have come here and petitioned for them; the States have petitioned for them. All this is an evidence of kindness that ought to bind the heart of the Southern

States. At any rate, it ought to affect their judgment as to the future.

You will see by this that, even if nothing be done, I am not for secession. No, sir; I was born and bred in the State of Kentucky; and as to my native State, old Kentucky, I shall say to her more freely than to others: I desire to see you stand by the Union of the country; do not go off until an imperious necessity forces you; give to the world a long-continued evidence of your constancy, your patriotism, and your fidelity to the Constitution. Stand by it; you have stood there heretofore manfully; you have literally founded this faith upon a rock: this faith is founded upon a rock, and you have engraven the sentiment there. The stone which you contributed to the unfinished monument of Washington, in this city, bore upon its Kentucky marble front these words: "Kentucky was the first to enter the Union after the adoption of the Constitution; she will be the last to leave it." That sentiment she has engraven in marble; and it now stands sanctified still more by forming a portion of the monument of George Washington. I want to see her true to that great sentiment. It swells the heart to hear it. There is nothing, as it seems to me, in all the hopes and all the triumphs that secession can promise itself, equal to the proud swelling of the heart at these noble and patriotic sentiments.

Let Kentucky stand by that sentiment. Let her be the last to leave that Union which has conferred upon her so much honor, so much glory, so much liberty, and so much happiness; and, abused as it has been, maladministered as it has been, it is as yet the best government on earth; the only government on earth in which a man commands his own actions, can speak his own thoughts in any work which he pleases, where no man is imprisoned unlawfully from one end of it to the other. From San Francisco to Portland, where is the man that is imprisoned and deprived of his liberty unlawfully? If our treasury is empty, our money misspent, still, badly administered as it has been, and as much better as it would be if properly administered, with all its faults of administration, it is the best government the world records. It is only here in the arms of this great and mighty republic that liberty was ever presented to the world in all her height and all her majesty. The little republics on the Alpine hills of Europe are little communities too small to excite the ambition or the cupidity of greater and imperial powers. Liberty there is too small to be looked at; but here she stands up in all her majesty and in all her might, and with her mighty arms reaching across the continent.

Now, sir, will you allow such greatness as that to be lost?

It is a mighty benefit to every citizen of the country that the name of that country goes before him like a host, and is a shield over him. The very name contains a charm and a spell that protects him in every region of the world. This is one blessing this great country has conferred upon us, and which is magnifying still more every day.

When, for the want of timely compromises, we have fallen into this career of destruction, and that career is going on,—and where it will end God only knows,—I say I hope we shall stand to the Union and try it, and try it again. If one Congress does not judge rightly, or will not act rightly, another will. That is the principle of our government; and it requires of us, for all these great boons, patience and forbearance. Show you this patience and this forbearance, and let us wait; and, if that is to be our sad destiny, when rebellion and revolution shall have passed over this whole land, I want to see old Kentucky, even in that day of desolation, standing up, if left alone on the wasted field, brave and collected, with the flag of the Union in her hands, standing upon the great field like the last hero of a battle; and then, when the Union is no more, and she stands there the image of patriotism, of honor, and of heroism, and of fidelity to the Union to the last day of the Union, it will be time enough for her to consider what next shall be done.

My principle, and the doctrine I teach, is, take care of the Union; compromise it; do anything for it; it is the palladium—so General Washington called it—of your rights; take care of it, and it will take care of you. Yes, sir; let us take care of the Union, and it will certainly take care of us. That is the proposition which I teach.

Mr. President, I have occupied more of your time than I had intended, and I have occupied it with certainly a very desultory, and probably a very unprofitable, course of remark. I believe, sir, I shall be supposed to have expressed myself kindly, frankly, and sincerely. I do not wish, and I do not know what would induce me, to do otherwise.

I am about to part from all my brethren here. I should be sorry to believe that I had uttered a single word that could leave cause of offense in the heart of any member of this body. I have not so intended. I may err on this subject. I am earnest; I am sincere. I have spoken what in soberness and truth I believe; what to some extent, coming from the region where I do, I may say I know as to facts; and I endeavor to give you warning, not threats. I have long ago learned not to threaten anybody; but I may warn, and it is the duty of brotherhood, it is the duty of my place in the Senate, that I warn my brethren of any danger that I suppose is approaching our common coun-

try. I have endeavored to do no more; and I tell you now, that, whatever security the apparent peace that surrounds us may induce us to suppose exists in the country, it is a delusion. To-morrow, after to-morrow, and each to-morrow, brings with it new fears and new apprehensions to my mind. Rebellion, revolution, seem to be an epidemic in the land. I thought we could do something to stay it. I might have been mistaken even in that. You [addressing the Republican senators] have thought that these remedies would be ineffectual or unnecessary; you have hesitated to apply them. It seemed to you a concession. I do not ask it as a concession, except as a concession which might bring you a greater good. Let us hear no more about "no compromise." It is a measure of policy. If your good is not involved in it as well as mine, and much less if your harm is involved in it, I do not expect you to adopt it. I offer it because I believe it is good for you, as well as for every portion of this great country. That is the principle upon which I act as a senator of the United States, acting for a common country, dear to me in all its parts; its honor dear, its interests dear to me, and I find the best security for the rights of my own State in respecting the rights of every other State. These great movements in human affairs and in the course of nations will take place, sometimes final and disastrous, at other times they are temporary, and may be modified, and peace and harmony restored by a course of policy. Restoration is my great object. I have attempted that by the resolutions which I offered. It is too late for me to hope for their passage. Though I believe every word I have said, I am not vain enough to suppose that it can probably carry conviction or persuasion to the minds of gentlemen. I therefore calculate upon nothing being done upon those resolutions. I want a vote on them, and I hope that that vote, though it may not have the competent majority of two-thirds to recommend them as an amendment to the Constitution, may, by even a bare majority, contribute something to quiet the country and create a disposition to wait and forbear. That I cannot now hope for; but I do hope that this resolution which has passed the House of Representatives for an amendment to the Constitution, though in my judgment not covering the case, and wholly inadequate as a general remedy, yet may have some good effect, like a solitary ray of sunshine breaking through the clouds, which might show an opening in them. It is one ray from the great central system, to warm our hopes and keep them alive for another and a better day. The amendments to it which are now pressed upon us seem to leave very little hope. The resolution of the House of Representatives cannot be very objectionable in itself to any senator, unless it be to those

who assume that they will not compromise at all with the Constitution, to make even a single change in it. It may sometimes be that to make changes and amendments in the Constitution is the very way to preserve it. I do not doubt the sincerity of those gentlemen who say "it is out of our reverence to the Constitution that we will not consent to amend it;" but I beg them to reconsider that determination. There may be conjectures in public affairs; there may be an alteration in the condition and circumstances of nations, particularly a nation which, springing up from a handful and a comparatively small community, has grown into a great nation. There may be occasions for making changes to accommodate it to these altered conditions, preserving its principles, not violating them, making them in harmony with, and as a preservation of the whole instrument—a process of preservation.

Now, I want to see, at least, this amendment made. May we not agree that all of the amendments which are now offered to it shall, at this last moment, in a spirit of amity and of conciliation, be withdrawn, and that we now have a vote upon the resolution from the House of Representatives? It may not be worth much, but it will show the way to peace; it will show the way to reconciliation; it will show that there is no stern, unreasoning, and blind opposition to every sort of acquiescence in amendments that are desired to the Constitution. It may not be of much effect for the present, or it may be. Consider the diminished number of the slaveholding States; consider the increased and increasing numbers of the free States; consider it fairly and candidly, and ask yourselves if your brethren are doing more than freemen ought to do, who are taught to be vigilant of their rights, to employ, as bulwarks for them, in all countries and on all occasions, constitutional securities. I hope, in that spirit, you will allow this resolution to pass.

Gentlemen, I beg pardon for the time which I have occupied. I thank you for the patient and respectful attention with which you have listened to my remarks. I ought to have said all that I have said in much shorter time and much fewer words.

Mr. Crittenden presented to the Senate the official evidence of the election of Hon. J. C. Breckenridge, then Vice-President of the United States, to the United States Senate, from Kentucky, *as his successor*. He remarked that it was a post of great difficulty and high duties. He had no doubt he would, and hoped he might, occupy the seat more successfully than he had been able to do for the good of the country at large.

Mr. Crittenden had now taken his final leave of the Senate.

Shortly after his return to Kentucky, he addressed the Kentucky legislature on coercion and the general aspect of the country. This speech will be found in the volume of his speeches to be published hereafter.

In July Senator Douglas died, and Mr. Crittenden pronounced a eulogy upon him ; and that, with all other speeches of a kindred character, and a few short and important political speeches addressed to the Senate, I have thought it best to publish in his life.

## CHAPTER XVI.

1861.

Invitation of City Council to visit Cincinnati, and Complimentary Resolutions—  
Mr. Crittenden's Reply—Letter of George Haven—Letter from Mr. Crittenden to Larz Anderson, of Cincinnati, explaining the Compromise Resolutions—Notice of Mr. Crittenden's Retiring from the Senate, taken from the *Southern Advocate*—Mr. Crittenden's Address to the Legislature of Kentucky, 26th of March, 1861.

(Welcome to the Hon. John J. Crittenden by the City Council of Cincinnati, Ohio,  
February 27th, 1861.)

WHEREAS, Hon. John J. Crittenden being about to retire from the Senate of the United States, a position that he has eminently adorned by his unfaltering patriotism and exalted wisdom, and will shortly return to his home in Kentucky; therefore be it

*Resolved*, That the thanks and gratitude of the nation, which he has so nobly and faithfully served, will go with him in his retirement, and be an endearing legacy to his children; and be it

*Resolved*, That the opportunity afforded of a brief stay in his progress homeward, will enable our people to hear from his own lips—patriarch as he is of the Senate—words of counsel and wisdom in this hour of gloom and despondency to the country; and be it

*Resolved*, That the Hon. John J. Crittenden be requested, at such time as he may select, to address the people of Cincinnati and contiguous cities upon the momentous affairs of the nation; and be it

*Resolved*, That the clerk of the Council be, and is hereby, directed to forward to Hon. John J. Crittenden a certified copy of these resolutions.

Lieutenant Whitson offered the resolutions to the Council of the city of Cincinnati.

After the reading of the resolutions there was a breathless suspense. Everybody expected that some Republican would oppose them. "Question!" "question!" was loudly called for,

after Lieutenant Whitson had ended his remarks on the resolutions by stating the people would settle all bills occasioned by the proposed ovation.

The Chair was about to put the question, when Captain Eggleston arose, as everybody supposed to oppose the resolutions. Said he, slowly :

"I have an amendment to offer; I want to add another name, the name of one who stands as high in the estimation of the country as Mr. Crittenden. [Some Republican growled, a Buchanan Democrat!] I wish to add the name of Andy Johnson, of Tennessee!"

"Good! good!" came from all parts of the house.

Lieutenant Whitson accepted the amendment, and the resolutions were *unanimously* adopted, with a *hurrah* for Crittenden and Johnson.

(Joint Resolution of Respect to Hon. J. J. Crittenden, passed by the Board of Aldermen and Board of Common Council of the City of Washington.)

*Whereas*, the time is at hand when the Hon. John J. Crittenden is about to withdraw from the national councils, after a career of illustrious public service running through a period of more than forty years; and *whereas*, during all that time he has steadfastly evinced his devotion and attachment to the union of the States, no less by his large and comprehensive statesmanship than by his liberal course of policy in connection with the interests of this the capital city of the republic, selected by the Father of our Country as its permanent seat of government and stamped with his own immortal name; therefore

*Resolved*, by the Board of Aldermen and Board of Common Council of the City of Washington, that a committee, consisting of the Mayor and the President and two members of the Board of Aldermen, and the President and two members of the Board of Common Council, be appointed to wait on Mr. Crittenden and present him a copy of these resolutions, at the same time conveying to him our deep sensibilities at parting from one who has been so long among us as to be regarded almost as one of us, and whose absence from the social and political circles of Washington will leave a vacuum not easily filled.

(Signed)

GRAFTON POWELL,

*President of the Board of Common Council.*

(Signed)

WILLIAM T. DOVE,

*President of the Board of Aldermen.*

Approved March 4, 1861.

(Signed)

JAMES G. BERRET,

*Mayor.*

(Address of the Citizens of Louisville.)

LOUISVILLE, KY., 1861.

To the Hon. JOHN J. CRITTENDEN.

DEAR SIR,—After a prolonged term of public service, extending its valuable influences through nearly half a century, and with a reputation which has descended from sires to sons of our country, you are about to seek repose and permit the evening of your glorious life-day to sink peacefully to rest amid the solaces and the holy endearments of home. We would not for one single instant arrest your progress towards that "haven where you would be;" but having watched with the deepest interest and the highest admiration your noble, patriotic, powerful, and persevering labors for the salvation of our beloved country in these days of fanaticism and insane violence, we, as citizens of Kentucky, without distinction of party, are anxious to manifest to you, in person, our gratitude for your glorious services,—services which your country can never recompense, but for the performance of which the patriot finds his highest compensation in the consciousness of having faithfully performed a high, stern, and self-sacrificing duty. We therefore cordially invite you to attend a public dinner in our city at such time as will best suit your convenience, and, as this request proceeds from deep-seated respect and veneration, we sincerely trust that you will not permit any circumstance to stand in the way of its acceptance. Many wish to meet you once again, and to take by the hand, perhaps for a last tribute of regard, the patriot and statesman, of whom, as Kentuckians, we feel so proud.

Your friends and fellow-citizens,

JNO. W. CLARKE,	Z. MORSE, JR.,	N. L. McCLELAND,
S. F. DAWES,	H. S. JULIAN,	N. V. GERHART,
GEO. DOYLE,	C. R. ERSKINE,	N. G. ROGERS,
JOS. E. GAY,	BYRON BACON,	H. B. CLIFFORD,
T. G. WOOLLS,	JOHN COLGAN,	E. L. SEICHREST,
WILL. S. HAYS,	A. M. STOUT,	L. M. GUTHRIE,
M. MULDOON,	A. L. DUYERS	W. V. WOLFE,
B. HARDIN HELM,	A. L. CAMPBELL,	JO. C. ALEXANDER,
D. HATT,	E. W. MEYLONE,	J. D. GRINSTEAD,
JNO. McL. COLLINS,	EDWARD P. WELLS,	LEW. A. CIVITT,
R. OVERTON,	W. P. SHOTWELL,	WILL. H. HORVEN.

(J. J. Crittenden to Samuel L. Corwine, Esq.)

WASHINGTON, March 15, 1861.

SAMUEL L. CORWINE, Esq.

SIR,—I had the honor to receive your communication of the 28th of the last month, including the resolutions of the City Council of Cincinnati, adopted unanimously the preceding day.

I am very sensible of the great honor done me by the City Council, and am very grateful for it. Their approval of my public services is the most acceptable reward they could bestow on me.

I cannot neglect this, or any request with which the City Council may be pleased to honor me, and I will therefore comply with their invitation at some suitable time to address our fellow-citizens of Cincinnati. This, however, I must defer until some time after my return to Kentucky. I cannot do it conveniently on my way home, as I shall be hurried and wearied. I shall leave here on Sunday or Monday evening next for Kentucky.

Be pleased, sir, to communicate this letter to the City Council of Cincinnati, as some small evidence of my acknowledgments and thanks for the honor they have conferred on me.

I am very respectfully yours,  
J. J. CRITTENDEN.

(George W. Haven to J. J. Crittenden.)

PORTSMOUTH, N. H., March 13, 1861.

HONORED AND DEAR SIR,—Will you permit me to add my own to the kind wishes for your happiness which are felt and uttered by thousands of my fellow-citizens in every part of the land? From you came the first gleam of encouragement which gladdened us in the midst of our perils, and if we are borne through them into peace and union, to you, my dear sir, more than to any other man, shall we and our children owe the deep gratitude of our hearts. Your spirit of consistent, unchanging conciliation has placed your honored name in the foremost rank among the benefactors of your race. Even the opponents of your plan have never failed to express their admiration for the purity of your motives, and the long-tried integrity of your character. To me you stand in a relation far dearer than that of admiration for your long and faithful public services, and whether we are saved or lost I shall ever think of you as a personal benefactor. I notice in the papers that you intend to visit Boston as the guest of the city. My home is but little more than two hours distant, and, if you can spend a day or two to visit Portsmouth, you will confer an honor only equaled by the pleasure you will give, by making my house your own on such an occasion.

Mrs. Haven joins me in salutations, and in the cordial wish to see you and Mrs. Crittenden.

Respectfully and truly yours

Hon. J. J. CRITTENDEN.

GEO. W. HAVEN.

(J. J. Crittenden to Larz Anderson.)

FRANKFORT, March 29, 1861.

LARZ ANDERSON, Esq., Cincinnati.

I observe that one of your respectable newspapers in Cincinnati has misstated my motives and my course in relation to the resolutions which I submitted on the 18th of December last to the Senate of the United States. It represents me as having "repudiated" them, and as having been "disgusted" with them after, by an amendment, they had been made to embrace all the territory hereafter acquired by the United States as well as that which they now possessed. A simple statement will correct these errors.

The resolutions were proposed in the pure spirit of compromise, and with the hopes of preserving or restoring to the country peace and union. They were the result of the joint labors of, and consultation with, friends having the same object in view; and I believe if those measures thus offered had been at a suitable time promptly adopted by the Congress of the United States, it would have checked the progress of the rebellion and revolution, and saved the Union.

For myself, I had no objection to including in their scope all after-acquired territory, *because that made a final settlement of the distracting question of slavery in all time to come*, and because I hoped that such a provision—by prohibiting slavery in all the acquired territory north of the line of  $36^{\circ}30'$  of north latitude, and allowing it in all south of that line—would have the effect of preventing any further acquisition of territory, as the Northern States would be unwilling to make any southern acquisitions, on which slavery was to be allowed, and the Southern States would not be inclined to increase the preponderance of the North by northern acquisitions. And thus I hoped that the provision respecting future territory would prevent any further acquisitions of territory, and I did not desire that any more should be made.

These were my reasons for submitting the proposition in relation to future acquired territory. But my great object *was compromise*,—compromise on terms *satisfactory, as far as possible*, to all parties and all sections; and when I found that this provision in my resolutions was much and particularly objected to, and might prove an obstacle to their adoption, I determined, in my anxiety for compromise, that I would not insist upon it, but would consent to have it stricken out.

To accomplish the great object I had in view, the peace and union of the country, I would, rather than have witnessed their total failure, have yielded to any modification of my resolutions that would not, in my judgment, have destroyed their essential

character and their pacifying effect. Indeed, I intended, if opportunity had been afforded me, to make several amendments in the *phraseology* of those resolutions, in order to render their language as little offensive as possible.

I wish to see reconciliation and union established. It was of no importance by whose resolutions or by whose measures it was brought about, so that the great end was accomplished.

It was in that spirit, that when the Peace Conference or Convention, that met at Washington upon the invitation of the State of Virginia, made a report to Congress of the resolutions or measures recommended by them for the restoration of peace and union, I at once determined to support their measures rather than those I had before proposed. I did this, not only because their propositions contained, as I thought, the substance of my own, but because they came with the high sanction of a convention of twenty-one States, and would, therefore, be more likely to be acceptable to Congress and the country. Besides that, I felt myself somewhat bound to act with this deference to a convention so distinguished. I had ascertained to my satisfaction that the resolutions would not be adopted in the Senate.

From this hastily-written statement you will discover the motives of my conduct in all the above-recited transactions, and that I did not so act either because I was "disgusted" with, or had ever "repudiated," the resolutions which I submitted to the Senate.

I am, very respectfully yours, etc.,  
J. J. CRITTENDEN.

(From the Catlettsburg Southern Advocate, on Mr. Crittenden's retiring from the Senate.)

There is no Kentuckian to whom the name of this distinguished statesman is not as familiar as household words. For forty years his name has been intimately associated with the history of Kentucky,—in the tented field as her chief executive officer, one of the most brilliant officers of her bar, one of the cabinet ministers of two Presidents, in the Senate of the United States, where, by his talents, virtues, and patriotism, he has attained the highest position, and now, by common consent, he is hailed as the Nestor of that peerless body, and stands *peerless* among his *peers*. Kentucky, in her proudest days, could have asked no more at the hands of her senators than can be found in her illustrious Crittenden. When danger threatened the rights of the State, or the Union, which she loves, her great anxieties were speedily removed by a recollection, that in the councils of the nation her interests were confided

to one of the wisest and purest patriots of whom our country can boast,—one who was the companion and compeer of her immortal Clay. Neither the eminent services which this distinguished statesman has *rendered* his State and country, nor his exalted patriotism and talents, nor his purity of life, nor all these combined, were sufficient to save him from the sacrifice which the insatiate spirit for proscription in the party, now in the ascendant in our State, demands. The deed has been accomplished, the decree has gone forth, that he, whom Kentucky has always delighted to honor and whose services have been heretofore so highly appreciated, must vacate the seat in the councils of the nation, so long held with honor to himself and his country,—an act of ingratitude which leaves a stain upon the history of Kentucky. We are aware that his opponents, by an unfair representation, have deceived the people in regard to his views on the great subject of slavery, inducing them to believe that he is not a safe guardian for Southern interests. How absurd is such a suspicion! and it is attempted to be cast on Kentucky's favorite son by those who command to her confidence Buchanan, Douglas, and the leaders of the present Democracy. Although his official relations to his State may soon be dissolved, and his patriotic voice be no longer heard in the Senate-chamber, yet there is kindled on the altar of his heart a flame of sacred devotion to his country, which will ever impel him to raise his eloquent and patriotic voice in her defense, whether she be assailed by internal or foreign foes. Have we not an evidence of this now? Does not the angry storm of dissension, which is now lashed into fury by the fanaticism of the extremes of the two great leading parties in Congress, threaten our Union with dissolution? Where does John J. Crittenden stand? As the great *peacemaker*, calm, though not unaffected by the danger which threatens our Union, he raises his warning voice, calling upon the true and conservative portion of every party and section in the country to unite in one grand Union party, whose basis shall be "the Constitution, the Union, and the enforcement of the laws." Mr. Crittenden, with others of a kindred spirit, are the leaders of this great Union movement, actuated by no other motive than the good of the whole country. It must be gratifying to every lover of the Union to see that the effort meets the approval and co-operation of thousands of every section of our land, proving conclusively that the hearts of the people are right and that the Union party will be triumphant. Mr. Crittenden retires from the Senate with the consciousness of having done his duty, and the warmest gratitude of a large portion of the citizens of his State and of the Union. At no period of his life

did he hold a higher place in the affections of the people. May he long live to enjoy the proud satisfaction which so long a life spent in the service of his country must afford!

Mr. Crittenden has all his life been a firm and outspoken party man; principles he has always had, and their fearless enunciation has ever been characteristic of him. But at this crisis of our country's history and hopes he has divested himself of everything like party feeling, bias, or prejudice, and plants himself alone upon an earnest and patriotic desire for the preservation of the Union and the restoration of the full measure of peace, prosperity, and happiness which once belonged, in a degree never surpassed by any other people, to the citizens of our common country. Forgetting the past of party politics, he is ready to unite with all of every party whose object in reference to the vital question of the republic's safety is coincident with his own; and his appeals to the brave and the good of all parties to rally under the common flag of the Nation, and save it from the wanton destruction with which it is threatened, are worthy alike of himself and of the glorious cause for which he so feelingly and eloquently pleads, and to which he is devoting all the energies of his noble nature. To Kentuckians especially are his counsels directed, to stand by and maintain the Union and the high position of their Commonwealth in it, in this hour of trouble and peril. A native Kentuckian himself, there is no man prouder of his birthright; but he is equally proud of the title of American citizen which he bears; neither would he surrender, both being alike cherished objects of his affectionate regard. His fellow-citizens, who have ever regarded him as a faithful and honored representative of Kentucky character, will, we feel assured, give heed to the counsels of the gallant old patriot, and will rally in the majesty of their might to the duties to which he invokes them.

(From the Lexington Observer and Reporter.)

SPEECH OF THE HON. JOHN J. CRITTENDEN, BEFORE THE LEGISLATURE OF KENTUCKY, ON TUESDAY, 26TH OF MARCH, 1861.

MR. SPEAKER, AND GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES,—It is my great honor on this occasion to appear before you upon your joint invitation to address you upon the subject of our national affairs. I thank you, gentlemen, for the great honor you have thus seen fit to confer upon me. I have been long, very long, in the service of my country. The time has come when I am to retire from it,—I do it cheerfully and willingly. You and your predecessors have conferred many honors upon me,—you have given me your confidence. Re-

peatedly have I had the honor of being elected to the Senate of the United States. I am now a private citizen; and, after all my trials and my attempts in the service of my country, you are pleased to receive me with approbation. I am grateful to you, gentlemen. By these honors and this exhibition of your confidence you endeavor to make the repose of my old days—after a life spent in your service—agreeable, happy, and honorable. You can confer no greater reward upon me; I can receive none greater. I know that I am indebted as much to your partiality as I am to the value of any service I have rendered for these tokens of regard and confidence.

I am invited, Mr. Speaker, to address you and the honored assembly on the subject of our national affairs. It is a gloomy subject, Mr. Speaker. Never in the long history of our country has anything like or at all parallel to the present condition of our country presented itself for our consideration. But a little while ago we were a great, united people; our name was known, and known only to be respected, throughout the land. Our power, our greatness, was everywhere recognized, and our flag was everywhere considered as the emblem of a great and growing nation. Now, sir, what is the condition to which we are reduced? Where is that glorious Union that we promised ourselves should be perpetuated? Where are those ten thousand sentiments offered in toasts and orations that the Union was to be perpetuated? "Let it be perpetuated—*csto perpetua*"—was the sentiment expressed on thousands and thousands of public occasions.

What is our condition now, and how has it been brought about? I need not state very particularly the causes which have produced these effects, nor need I recur to the present condition of our nation with a view of telling you what it is. It is a sad story, so sad that it is impressed upon every heart, known to every citizen. I shall not detain you idly by any particular details of causes. It is enough to say that it has all grown—our national calamity, our national misfortune—has all grown out of a controversy between the slaveholding and non-slaveholding States; furnishing questions of slavery and questions of anti-slavery,—questions about the Territories of the United States. These agitations have long exasperated on the one side and on the other a vast portion of the United States. It has resulted in the formation of sectional parties,—a sectional party in the North and a sectional party in the South. The sectional party of the North has finally succeeded in electing a President for the United States, and installing their party in all branches of the government. This has excited increased apprehensions in parts of the South as to the safety of their pecu-

liar institutions. They dread that the Northern power will employ itself in destroying one of these institutions, and depriving them of their property. Under this apprehension, what have they done? They have sought a most violent remedy against this apprehended evil by seceding, as they term it, from the Union of these States, and forming for themselves a separate, distinct, and independent government out of the seven States that have seceded,—South Carolina, Florida, Alabama, Georgia, Louisiana, Mississippi, and Texas. These States have, in so far as they possessed the power, broken our Union, and established, or attempted to establish, for themselves an independent government, and to put that government into operation. This is the present attitude in which our country stands. While these revolutionary movements were in progress, attempts were made in the Congress of the United States, then in session, for the adoption of such measures as might check them. It was hoped that if these measures could not recall to the Union the States that had already seceded, they might secure the allegiance and adherence to the Union of the remaining States. Among many other gentlemen who proposed measures for adjustment and reconciliation, I submitted a series of resolutions, believing that their adoption might pacify our country, put a stop to revolution, and preserve and restore our Union. I need not undertake to occupy your time by reciting those resolutions. They are known to you all, and had the honor of being expressly approved by you. Their object was mainly to satisfy the claims of the South to remove with their slaves to the Territories of the United States.

On the other hand, this right was denied upon the ground that the Territories belonged to the United States; that no individual State, nor any of the States, separately, had an interest in the Territories, but that they belonged to, and were under the absolute control and government of, the general government. Sir, let that be admitted. Admit that the territory is under the absolute control of the general government, but, sir, does it not follow that that general government ought so to administer this great property, so to exercise its great functions, that every class of States, and every State, shall equally participate in and equally enjoy that which belongs to all? No matter whether you consider it a property held in trust for the individual States, or as a property held absolutely for the general government, to be controlled or disposed of by the general government, it equally follows that the general government, to be just and to act upon the principles of the Constitution, ought to so administer the property that each and every State—every portion of the Union—may have an equal participation in and an equal

enjoyment in that which belongs equally to all—the territory of the United States.

It seems to me, therefore, that there is injustice in excluding from that equal and full enjoyment any class of States because of any institution that may exist in them. The Constitution gives to the other States no right to monopolize that territory, and to assume the entire ownership and enjoyment of it. The Constitution accepted them at its foundation. It accepted them as slaveholding States. It accepted them at the time of its adoption as entitled to equal rights, notwithstanding they held slaves. It accepted slaveholding and non-slaveholding States as standing in equal favor with the Constitution, and entitled to equal rights and equal justice from that Constitution. So regarding it, it seems to me that it would be unjust for the free States to assume and usurp to themselves the entire control of these Territories, and to control them so as in effect to exclude from them portions of the citizens of a certain class of States. I thought, therefore, sir, that the North was in the wrong and that the South was in the right in respect to this question of property and rights in the Territories of the United States; and one of the objects of the measures which I proposed, one of their chief objects, was to procure, by an amendment to the Constitution, an acknowledgment of this equal right on the part of the South. Upon constitutional principles, this right would extend to all the Territories of the United States, and the Southern States, in common with the free States, would have an undivided and equal right in all the Territories of the United States. But, as a common enjoyment would be difficult, it appeared more convenient that there should be for this purpose a sort of partition of the Territories of the United States between the different classes of States, slaveholding and non-slaveholding.

Our fathers,—those who have gone before us,—in the year 1820, upon the question of the introduction of Missouri into the Union, were involved in this very question of slavery agitation. The admission of Missouri was objected to because of its constitution, in view of the fact that slavery existed in the new State and was sanctioned by its constitution. Manifesting, at that early period, an opposition to the exclusion of slavery, they rejected it in the first instance,—they opposed the admission of Missouri. A compromise was then drafted. The line of  $36^{\circ}30'$  was made the dividing boundary or line. Upon the north of it slavery was to be prohibited; upon the south of it slavery was not to be prohibited. So the matter rested. It produced peace. Now, instead of the common, undivided right to go into all the Territories, the South has an implied promise

that she may go there and carry her slaves, if she pleases, into all the territory south of the line  $36^{\circ}30'$ . That compromise applied also to the territory acquired by the Louisiana treaty. What have we done in the present emergency,—an emergency presenting the same questions? I proposed that we should again adopt this line of division and apply it to the territory which we had since acquired in our war with Mexico; that again we should renew the compact that in the territory north of  $36^{\circ}30'$  there should be no slavery, and that in the territory south of it slavery should be recognized. It seemed to me that this was just, equitable, and right. But it did not appear so to the Congress of the United States.

I believe if the measures thus offered had been at a suitable time promptly adopted by the Congress of the United States, it would have checked the progress of the rebellion and revolution, and saved the Union. But, I say, it did not seem so to the Congress of the United States, and they declined to adopt these resolutions, with the exception of one. That was an amendment to the Constitution, which it adopted so far as it could, to be referred to the several States for their adoption—an amendment declaring that the general government should have no power whatever over slavery in the States, and that no amendment should be made to the Constitution of the United States which should give Congress any such power. It said nothing in respect to the Territories, either as it regarded the Territories themselves, or as it regarded slavery in the Territories. They declined to permit slaves to be carried into the territory south of  $36^{\circ}30'$ . In the mean time the revolution proceeded. This revolution has undertaken to form itself into a government distinct and independent. The revolting States have broken the Union which united us heretofore, and they are putting their government into operation; and we stand here to-day astonished at the great events that are occurring around us—astonished at the revolution that is glaring us in the face—and inquiring what is to be done.

There was one solitary circumstance attending these resolutions, however, that is well worthy of notice. Although the discussion of them did not sufficiently recommend them to the Congress of the United States, it struck upon the hearts of the people throughout the United States, and afforded them an opportunity for displaying their fraternal feelings towards us and all the South, and the generous temper and disposition which prompted them to seek reconciliation and adjustment—an amicable settlement of all our differences upon any terms that we might believe to be fair and equitable—just upon the terms offered by the resolutions which I submitted, or upon any other terms

equivalent to them. That would have been reconciliation enough to have saved the Union, whatever else might have been lost. As a testimony of the manner in which this adjustment was hoped for, hundreds and thousands of persons in the Northern States signed petitions praying for the passage of the measure,—forty thousand voters from the single State of Massachusetts, thousands from Pennsylvania, thousands from all the Northern States, breathing a spirit of love and kindness to their fellow-citizens and devotion to the Union, which was willing to sacrifice anything and everything for its preservation. This was to me, and it will be to you and to every Union-loving man, the most impressive and acceptable evidence of the temper and disposition of our fellow-citizens elsewhere. It showed me that the argument which had been so often used to disunite us—that the North hates the South and that the South hates the North—is not true. The Almighty has not made us with hearts of such malignity as to hate whole classes of our countrymen for the sins of a few men. The North does not hate the South. The South does not hate the North. In this matter, gentlemen, I speak so far as my own observation and my own experience enable me to testify. We have our moments of irritation at times. We have great provocations, and often these provocations have excited unkind feelings—reproaches without number, on the one side and on the other. Crimination and recrimination have existed between us. But this only serves to form a part of that great volume of abuse which political strife and the struggle for party predominancy must necessarily produce. They pass by, however. The stream is no longer made turbid by this cause, and in purity it runs throughout the land, encircling us in the arms of a common fellowship—a common country. So may God forever preserve us.

We have not been made to hate one another. We do not hate one another. The politicians who tell us that we hate each other are either honestly mistaken, or they are seeking ephemeral popularity by professing to be our friends, and showing us by the hatred which they profess for other sections, that their protecting love for us is over all. But the people will not always be led by politicians. They have risen upon this occasion, and I believe in my heart that there is at this moment a majority of Northern men that would cheerfully vote for any of the resolutions of compromise that were proposed by men of the South in the last Congress. I have assurances of that character given to me by some of the most respectable men, some of the most influential men, of Pennsylvania. I have assurances given to me by hundreds of letters from the most intelligent men of that State, to get my resolutions submitted to the

people. They came to me from every Northern State, I believe, without a solitary exception, to get my resolutions submitted to the people. "We want," said they, "to preserve the Union. We differ from our representation in Congress in this matter. They are elected as partisans, on party platforms, and are subject to the control of their party. They do not feel as we do. They feel and act like partisans, and want to maintain every syllable and every letter of their platform. We wish to preserve our sacred Union. We love our brethren. Put your resolutions before us. They will pass by hundreds and thousands of majorities." Gentlemen, I believe that, in Pennsylvania, they would have passed by one hundred thousand majority. If these have done nothing else, they have at least elicited evidences of affection for us from our Northern brethren. They ought to be considered as having attained something in this light, something important, too, considering the value of the Union. The people were ready to sanction the compromise. The generosity and patriotism of their hearts have not stopped to calculate the consequences to party of the downfall of their platform. They have indulged these feelings as fellow-citizens and fellow-countrymen, and they are willing to give you all you ask and all you want. They would rather give you more than you are entitled to, than part with you.

We are not to be outdone in generosity, I trust, by the people of the North. If they are thus anxious to preserve the Union, shall we be more lukewarm in that sacred cause? What we should do, is this: insist upon our rights, but insist upon them in the Union, and depend upon it that the people will grant them to you. This or that senate, and this or that body or convention, may refuse, but, mark me, your country has a great, warm heart. The citizens of this republic will work out the redemption of their country, if we will but combine and co-operate with them to preserve this Union. Let us struggle in the Union, contend in the Union, make the Union the instrument with which we contend, and we shall get all that we ask—all that we can desire—all that reason can warrant us in expecting.

This, my fellow-citizens, is the great fact of the sentiment and opinion of our brethren everywhere. Now, the great question which we are called upon to decide is, What, in this unparalleled, stupendous crisis—what shall we do? Seven States of our common country,—lately moving in harmony,—claiming no other rights than as the fellow-citizens of a common government, withdrew from this government, and are now denying their allegiance to it, avowing their determination to form a separate government, and actually forming that separate gov-

ernment as an independent government—as separate from this. They are attempting to ignore all relations to us, and claiming treatment as a foreign power.

What is the wish of us all? It is, and ought to be, by some means or measure to bring back to this Union—to bring back into perfect reconciliation with us—fellow-citizens who have thus gone astray and abandoned us. Ay, that is the wish of all. Though we may think they have acted rashly, we cannot yet look upon them as foreigners. They are, some of them, of our families; some of them are our brothers. They may secede from the government, but they cannot secede from those thousand affections that bind them to us. They cannot secede from those thousand relations of consanguinity and love which unite them with us. Nature has tied these knots. Party difficulties and political troubles can never untie them.

They proclaim themselves independent as a nation. How shall we treat these erring brethren? How shall the general government act towards them? How shall Kentucky and the other slave States conduct themselves towards these seceding States? The object of all is to bring them back. We wish them well, but we think they have greatly erred,—at least I do. We think they have done wrong to themselves, wrong to us, and wrong to all mankind by breaking up that government whose promises reached humanity in every region in the world; promises that have been indissolubly connected with liberty and political happiness. The wrong to all those interests which they have done proves conclusively to my mind that the Union cannot be broken. It is not yet broken. These States may have seceded. “Seceded,”—a word altogether illegitimate, having no origin or foundation in any constitutional right, and enigmatical in meaning; simply it is revolution against us,—whereas revolution acknowledged and avowed is war upon the nation against whom that revolution is attempted. If all our laws, all popular opinion and sentiment still exist in theory though disobeyed and disregarded by those who attempt to form another nation, the wish of us all is to bring them back—to be again one and indivisible. How shall it be best done?

What is the policy for the general government to pursue? Now, Mr. President, without undertaking to say what is the exact policy under circumstances so singular as the present hour presents us with, I will only undertake to say that they ought not to pursue a course of forcible coercion. Not the policy of coercion, I say. Our object and desire is to bring them back into terms of former union and fellowship. That is the object of our private affections as well as of our public policy. To attempt by coercion—by arms—to force them back

into the Union at the point of the bayonet—to shed their blood—is no way to win their affections. Let them go on in peace with their experiment. This government is not bound to patronize revolution against itself; therefore, I say, let its policy be the policy of forbearance and of peace. Let them make this experiment under all the advantages that peace can give them. We all hope, for their own good and their own welfare, that their experiment will fail of success; that when the increased expenses of a government formed of a few States, and the thousand inconveniences that attend its disruption from the great body to which it belonged,—like tearing off an arm from the human system; when they have come to experience all the pains and inconveniences, all the troubles and all the pests that attend, and must inevitably attend, this extraordinary movement, they will begin to look back to the great mansion of their tribe,—the grand Union of this great republic; they will wish to return to their brethren, no longer to try these hazardous experiments of making governments separate from this government. These are truly hazardous experiments. I think they will fail. I hope so only because that will have the effect of bringing them back into this Union. It will have the desirable effect of restoring our lost brethren to us. I am, therefore, for the peace policy. Give them an opportunity of making the experiment. Do not excite them to war or bloodshed. They have been sufficiently misled by other causes. Add to those causes the irritation that the sight of blood will necessarily create, and we can have no possible hope of reconciliation,—them to us or we to them.

Let us rather trust to peace. Let us trust to their experience,—the inconvenience of their errors. They will come back. We will invite them back,—not receive them as offenders or as criminals; we will receive them as brethren who have fallen into error, who have been deluded, but who, discovering their errors, manfully returned to us, who magnanimously receive them and rejoice over them. I want the general government to pursue this policy of peace and forbearance. What shall the separate States do? Those slaveholding States still adhering to the Union ought to be more particularly forbearing.

But what shall old Kentucky do? Our affections are all clustered upon her. Her peace, her honor, her glory, her interests are ours. Her character is ours,—and a proud heritage it is. I love her with all my heart. I am one of the oldest of her children. I have been one of the most favored of her children, and with heartfelt gratitude do I acknowledge it; with all my heart's devotion do I acknowledge it. I can never repay the obligations which I feel I owe to her. What shall Ken-

tucky do,—our country—our magnanimous old State—what shall she do in this great crisis, this trial of our nation's faith? Shall we follow the secessionists? Shall we join in the experimental government of the South, or shall we adhere to the tried government of the Union under which we live,—under which our fathers lived and died? I call upon you to bear witness, as candid, truthful men, do you know of any wrong that the government has ever done you? Can you name any instance of wrong suffered on account of your connection with the great Union of which you are a part? Kentucky herself came into existence under the Constitution, and under the Union that she still clings to. Under its protection she has grown from a handful of pioneers and a few hunters to the noble State that she now is; in every passage of her history maintaining her character for honor and fidelity, for devotion to truth, devotion to country; seeking at whatever distance, at whatever sacrifice, every battle-field upon which the honor and the interest of her country were to be combated for. That is old Kentucky. Fearing none; feeling herself in influence and power irresistible in the right cause, irresistible in defense of herself, she has gone on and prospered. Where is the man of Kentucky that fears that anybody will come here to take away our rights from us? Our self-possession and character are founded upon this conscious ability to defend ourselves,—that there is none so bold as to attack us, we being in the right, they in the wrong.

Now what, I ask again, is Kentucky to do? This is a question upon which many of us, fellow-citizens, differ in opinion. I came not here to-day to reproach any one for his opinion. I came to argue the matter with my fellow-citizens, and to present my views of the subject as one of the people of Kentucky. We should counsel together on such occasions. No man should be entirely given up to his opinion in such matters. He should listen with respect to the arguments of all. It is the good of the country that is at stake, and the opinions of all should be heard and determined upon calmly and dispassionately. If we differ, it is only about the means of advancing the interests of that country.

What will we gain by going off with this secession movement—this experimental government? Is it not a hazardous experiment? Can seven States well bear all the expense that must arise out of the maintenance of armies, of navies, the expenses of a state of government like our own with like expenses? They must have a President. They will probably not give him a less salary than we give our President. They must have a Congress. They will not give their Congressmen less than we give ours. They must have all the retinue, all the different de-

partments of government, and they will not place them, I think, at a less cost than we can. The army and the navy, of the expense of which our legislators frequently complain without being able to diminish, that they must have also. How can these seven States defray the expenses? Is it our interest to join this experimental government—to give up the grand heritage which we enjoy under the established Constitution, made by the men most venerated by us, under which we have lived—a government which has been thought throughout the world to be a masterpiece of human wisdom, shall we who have grown and flourished under it, and regarded it as the most firmly established government in the world if its principles are properly respected, shall we quit that and go into the secession ranks, fall into the footsteps of the revolutionary government? It would not be wise. I can see nothing that we are to gain by it. What will you gain? What is such a change to gain for any citizen? What evil is Kentucky to disburden herself of? What is the danger that now threatens her? Does she escape it by this revolution? Are these States any stronger by going out of the Union? I see nothing that is to be gained. I see no remedy in dissolution of the Union. The Union, on the contrary, seems to me to be the shield and arm of our defense. Kentucky retains in the Union all her physical powers that she could possibly have in the new Confederacy—all her means of physical resistance are just equal in the Union to what they would be out of the Union. In addition to this, she possesses claims by law and the Constitution which all the world sees, knows, can read and understand. With these immunities and rights, with the laws and the Constitution, does she not have additional power? To the physical power she is able to carry the immunities and laws which form the charter. She can appeal to our courts, to the Union, to the fellow-citizens of the government, and the Union. She is stronger in this attitude, is she not?

It is nothing but passion, it seems to me, that can have misled her so far. I will not go into the means by which the people are sometimes misled by leaders; I will not go into the causes that sometimes delude these leaders themselves; but that we have gained nothing, that we can gain nothing, by going into it and sharing with it, seems to me very evident.

Our true policy is to stand by that Union, whose blessings we have so long experienced, so long enjoyed; to stand fast by it until some great political necessity shall drive us from it. In the Union we know that we have found safety; there our fathers found safety, and these fathers constructed it for our safety. All experience has taught us that we have the best government in the world. Abused and maladministered as it frequently is, is

it not, at last, the best government in the world? Is there any better? Where else does liberty appear as she does here? She appears somewhere in the little republics of the old world, but so insignificant in their numbers as not to be noticed, and of course to be spared by the great despots and the great emperors of Christendom. There she may be said to exist in her rustic simplicity, in tatters and rags. Here she exists in all her splendor, with a diadem on her head. Here is a great republic that has avowed allegiance to her. She, as a queen, beckons to all the world, and signalizes a people that know how to govern themselves—a people that have entitled themselves to this liberty.

This has been the fruit of this Constitution and this Union by which I advise you to stand firm. Stand true to it, I say, until some great political necessity drives you from that post. What are we now to do? A portion of our countrymen are speculating on distant consequences. They are resolving that we will quit our place of safety and go into an experiment,—join the new revolutionary government,—and they say that Virginia and other States will follow. Then they say there will be no war, and then we will be in a better condition to reconstruct. This is all a fallacy from beginning to end. Can we trust our speculation upon causes that are so dependent one upon another, upon contingencies that lie in the future? Can we come to distant conclusions of that sort? No. The safe way is to do that duty which is nearest to you. Do that first. You can see that. We have not the gift of prediction. This argument of speculation, founded upon distant contingencies, founded upon inferences, and from inferences as to what may follow from the complication of causes, that is least of all to be relied upon. There is no safe logic in it. Every man can see and understand the duty that is next to him, and should not attempt to confound his conviction by endeavoring to comprehend objects beyond his reach.

What is our nearest duty? You have been told to maintain the Constitution of the United States. It has never done you wrong, never despoiled you of your property, never taken from you a minute of your freedom or your liberty during your whole lifetime. Are you to abandon that upon a contingency; are you to go abroad for an experiment; is that the next and wisest step to be taken? Is not the most immediate duty to stand fast in your fidelity to that tried government, until some necessity shall force you from it? When that necessity comes, it will need no argument. Necessity requires no speculation, no argument. When that great political necessity comes which alone would justify us in sundering this glorious Union, it will

speak for itself. It will speak for itself in language not to be misunderstood. We need not wrangle, or debate, or quarrel about it. It will tell us all with its imperious tongue. It will wave us to obedience. Conform to it we must. Is that the case now? No! Why, then, be in a hurry to abandon this good government which has sheltered us so long? Why commit ourselves to the cold and inclement skies of an untried country, an untried winter? Is that wise? Is that the prudence of a great nation? Excitement, animation, and impetuosity may prompt us, and some may be lured by the very danger of the experiment; but that is not the part of wisdom; that is not the part of that wisdom that ought to govern you and to govern a community,—that wisdom which is of a deliberate, reflecting mind. You are to divest yourselves of these passions when you come to decide such a question. Let me ask you, Was ever such a question submitted to a people before? Here are thirty millions of people, constituting the greatest, the freest, and the most powerful nation on the face of the earth. Is she to fall down in a day? Are we hastily to go off—to fly from all the greatness we have inherited and acquired, and madly, wildly seek in the wilderness an experimental government, and substitute it for the better one we now enjoy?

The moment we are divided, what are we? Before all the nations of the earth our greatness is given up. Is there any one of you, any one whose heart swells with pride and love of country, that would not mourn over the slightest diminution of the greatness of his country's power? We experienced the haughtiness and superciliousness of a haughty nation's prince when we were but a feeble colony, I might say involved in revolution. Now your flag carries respect and fear and love over sea and over every land; it is everywhere hailed with the profoundest respect. When you are compelled to blow from its folds seven of the stars that now adorn it,—when this waning constellation shall show its diminished head,—what will become of that respect, founded in fear as well as in love? What will become of that respect with which it was hailed under a peaceful government? When you go abroad now, and when to the question as to what you are, you answer you are an American, you are treated instantly with more respect than even the proud Englishman. Of all names it is that by which a man would prefer to travel in Europe. It is your country's name that gives you this stamp, this great power. It is that great country whose name never fails to prove a shadow of protection over you. Do you not believe now that foreign nations are triumphing in the division and dismemberment of this great govern-

ment? They feared its example; they feared its liberty; but now they look to you, not as the possessors of a good government founded on liberty and on principles which might be to them a dangerous example, but to cite you as an evidence that all popular government is a delusion. "Men are not capable of governing themselves," they say, sneeringly, "and the people of the United States are showing it. They live in a country that reveres power. They had all sway and all dominion, yet you see, by party controversy, and the little exasperations that spring out of it, this great government is in an instant exploded under the madness of party. In six months that proud empire, reaching to the skies, stretching its arms over the world, has fallen to the ground. They are an evidence that man requires kings and despots to govern him,—that he cannot govern himself." You, the proud nation, are now cited as an example of the impotency, the incapacity, of mankind for self-government,—to show that your boasted liberty is nothing but the exhalation of fancies, having no power, no strength, no capacities. These are the consequences that will accrue from a dissolution of the Union.

Let us try, then, to bring the seceders back and reform them. Here is a government formed, all its laws and institutions perfect. Those who have left us have but to step in and take possession of the mansion of their fathers. By standing fast by the Union, and showing the seceders that there is no probability that we will unite with them, and if the other loyal slaveholding States will show the same disapprobation of their course, will that not have the effect of checking the career of this revolution? Won't its tendency be to make them think of returning to their brethren who are endeavoring to persuade them back by tokens of love and affection? When they see we will not follow, won't they return to us?

That is our best policy, if we want to effect the reunion of the seceded States. It is not our policy to increase the evil by joining them. Will it be more difficult for them to come back alone than if six others joined them? Won't that put farther from us all hopes of a reunion? It seems to me that every view, every argument, is capable of demonstration that the course of wisdom and policy is for us to stand by the Union. It is better for us for the future, better for the future of the country. By showing to our erring brethren of the South that we will not go with them,—by showing them our fixed opinion that their experiment must prove a failure, and that they can expect nothing like encouragement from us,—will that not have a tendency to bring them back? I think it will.

Upon an occasion not unlike the present, ten years ago, Mr.

Clay stood near the spot which I now occupy. The circumstances of the times were then not altogether unlike what they are now. He stood here in 1850. In 1848 the storm was gathering as it has now gathered. Great apprehensions were entertained in the country that it would terminate in disunion. Mr. Clay went to Congress in 1849. He brought forward a series of compromises in 1850 and had them passed. That pacified the country and preserved the Union. In 1850 he came here, and in this legislature he delivered an address. The storm had then passed by, but he spoke to them with a prophet's fire, and with all a patriot's concern of the character of the Constitution of their country and the value of this Union. He said, "I have been asked when I would consent to give up this Union. I answer, Never! never! never! And I warn you, my countrymen, now, if, as things seem to tend, this country should be divided into a Union and a Disunion party, I here, now,—no matter who compose that party,—declare myself a member of the Union party. Whether it be a Whig or a Democrat that belongs to the party of the Union, there I subscribe my name; there I unite my heart and hand with that party." How would he answer the question, What shall we do? Shall we quit this Union now and go off upon the experiment of our brethren of the South? What would he answer who then answered as I have stated?

I say, then, it would be wisdom in us never to consider the question of dissolution. It is not a question to be debated; it is not a question to be settled upon policies or arguments. You know the fruit of that tree is good. Stand under it. Feed upon its rich fruits as you have done until some great necessity is upon us; until a necessity like that by which our parents were driven from Eden, shall drive you from it. Then go; it will be time then, and that necessity will be your justification. There is another authority still more venerable than that of the illustrious man whom I have mentioned,—I mean General Washington. Do you believe he was a wise man? What did he tell you of the value of this Union, and of your duty to maintain and uphold it? Not merely argumentative devotion, ready to argue yourselves in or out of it on occasion; he told you to have an immovable attachment to the Union; never to think of abandoning it. Stick to it; fight for it; fight in it. If your rights are disturbed, maintain them, if that desperate extremity should come; but that desperate extremity is not to be apprehended. It may occur for a short time. Wrong and oppression may be practiced for a short time. Bad rulers may oppress you as they have oppressed others. You may have a mischievous President and an ignorant and injurious Congress.

All this may occur, but all this, in the wisdom of the Constitution, is swallowed up in the general good. That same Constitution, which, through the infirmity of human nature, necessarily subjects you to those evils, gives you the power of redressing them at short intervals of time; and he who cannot, for the perpetual good, bear such evils for a short time does not deserve to be a member of a good government. You have the opportunity of redeeming that government by frequent elections of a President and Congress. If you permit a repetition of a mal-administration it is your fault. You have the remedy, and it is your fault if you do not apply it.

Gentlemen, the government is in a bad and dangerous condition. Whether it shall fall to pieces and become the scoff of the world, whether our ruins are all that shall remain to tell our story, is the question now to be determined. I believe in the people more than I believe in governments,—more than I believe in Presidents, in Senators, or in Houses of Representatives. I do not say that to flatter multitudes. I say it because I believe in the intelligence of the people. I believe in the public virtue of the people, whatever may be said to the contrary. Though in many things many people act a little unworthy of the dignity of freemen, still, when I look at the majestic body of the people, I find that there is a wisdom, a generosity, and a public virtue that will not allow this country to be trampled under foot or to go down to ruins. They will extend their hands from the North to the South, and from the South to the North, in fraternal sympathies. I do not believe they will fight upon any cause that yet exists. I believe they will not permit their rulers to maintain any petty platforms to destroy a great country. The Chicago platform—a thing no bigger than my hand—to be set up, like an idol of old, and worshiped, and a great country like ours, with all its millions, sacrificed upon its altars—the people will not allow that to be done. They are not platform-makers. Their country and their God is what they are for. They are our fellow-citizens, and they will save us. This may be a superstition, but I have it, and it comforts and solaces me. You are a portion of that great body, and will you do your part?

My friends, these remarks are desultory. I have not pretended to sketch the sad history of these events or to relate them in their detail. I have not attempted to discuss all the probable consequences of abandoning or standing by the government of this Union. I have simply satisfied myself by saying that to join the new government would be nothing but a speculation. To stand fast where you are is to perform the duty which is nearest you, and within your clear conviction. That

is the course I have recommended. What have you done? Are you not pledged to this course? What has old Kentucky's course been? You sent some years ago a piece of Kentucky marble to be wrought up into the structure of that magnificent monument to the Father of his Country; now unfinished in the city of Washington. That was your tribute to the patriotism and the great name of that unequalled man. What did you cause to be inscribed upon it? Let me remind you. Upon the stone are engraven these words: "Kentucky was the first State to enter the Union after the adoption of the present Constitution, and she will be the last to leave it." This is the testimony engraven by your own order. It is engraven upon the marble. It stands a part of the great monument to the memory of Washington, where all the world may see it. While Washington is adored as the founder of the Union—the founder of his country—in that holy keeping is this monument of recorded rock in which you say you will be the last to leave the Union.

Now, Mr. Speaker and gentlemen, when you have examined in every material point of view, in the view of every material interest, this question as to the policy and course Kentucky ought to pursue; when you have found them all, let me say that I think your judgment will find it satisfactory not to remove from the Union. But suppose you did not arrive at that satisfactory conclusion, is there not something in the stability which marks the manhood of old Kentucky? Here she stands upon her own native grounds, here she stands by that flag under which she has often fought, and stands by that Union that she has sworn to maintain. Is there not a sentiment that you feel in your heart that, however politicians may reason, policy ought to sway this matter? There is a great deal even in doing wrong when you do it in pursuance of a sense of fidelity and honor—a sense of patriotism. Which of you, if your child is to read the history of this period, if it be our sad fate that our country now is to perish, and he is left to read only the mournful history of its fall, how would you rather it would stand in that history—that Kentucky in the tumult of this revolution was led away, led away from her colors and her Constitution, and joined in the sad experiment of a Southern Cotton States republic?—that she sundered herself from the parent government, which was broken into fragments, and helped to form little governments which soon consumed each other?—or that old Kentucky was left, when the land had been swept by secession and revolution, and nothing was left of the Union, Kentucky alone was seen standing upon the field which revolution had conquered,—standing alone, like a stalwart, un-

conquered old warrior, with the flag of his country in his hand, standing by the falling column,—that the last scene of your ancestor should leave him sitting like Marius upon the ruins of Carthage, mourning the melancholy and disgraceful fall of his own once glorious country? Where would you rather your ancestor should be presented in history—as sliding off into revolution and secession, making the experiment of the new republic, or see him standing unconquered and alone, with the stars and stripes in his hand, or falling nobly, and faithfully, and devotedly with the Constitution of his country? I think there is not one of us that would not prefer our ancestor to take that course. I know that we sometimes would be willing that ancestors would pursue courses that we are unwilling to pursue ourselves. There is hardship, difficulty, and danger about it that we would rather avoid, provided we can have, even through an ancestor, the hereditary glory of acting such a self-sacrificing part as that.

Mr. Speaker, I have occupied much more of the time of this enlightened body than I intended. In conclusion, I will only repeat my acknowledgment for the great many honors you have conferred upon me. They will make my retirement honorable, peaceful, and happy, and will revive recollections continually of your kindness and of that confidence which you placed in me. I have been a long time in the service of my country. Here, sir, was the earliest scene of my political life. Like you, and the youngest among you, I was once upon the floor of this house, endeavoring to serve my country, as you are. For many long years, in one position or other, I have lived. I ought to retire. The time has come. I have wished for it. You have made the way to that retirement dignified and honorable. With all my heart I pray to that Providence which has been as it were a shield over our country so long, that you may be made the instruments of preserving it and saving it through all the great emergencies and the great perils through which it has now to pass, that by your fortitude and courage you will uphold the principles of your government, by your wisdom and persuasive policy bring back to us the friends and the countrymen we have lost. We do not love them the less because we love our country more, and would preserve the Union and the Constitution under which we live and hope to live. May your wisdom be so crowned with success that you will bring us out of these tribulations to peace and to the security for which we now struggle.

(A. Belmont to J. J. Crittenden.)

NEW YORK, December 26, 1862.

MY DEAR SIR,—Please accept my thanks for your compromise resolutions. I have yet to meet the first conservative and Union-loving man who does not approve of them and consider them an efficacious, if not the only, remedy which can save the country from destruction. Your patriotic course is commended warmly by the good men of all parties; and though your noble efforts may prove of no avail against the sectional fanaticism conjured up by designing politicians, the lasting gratitude of every American citizen, who has the greatness of his country at heart, is due to your statesmanlike stand in reference to the Union and the Constitution. I am afraid that no human power can stay the evil, since the Republican leaders, by their vote in the Committee of Thirteen, have proved that they are determined to remain deaf to the dictates of justice and patriotism. Will the American people have this great country dragged to ruin by a handful of Puritanical fanatics and selfish politicians? We can only look for help to the conservative spirit of the border States. I trust that prominent leading men, like yourself, will make a direct appeal to that spirit by a convention of those States.

I have the honor to remain, with high regard,

Yours very truly,

AUGUST BELMONT.

## CHAPTER XVII.

1861.

Letters—S. S. Nicholas—Amos A. Laurence—Mr. Crittenden to his Son George—J. Robertson—Hon. T. Ewing—House of Representatives—Notice of the Death of Stephen A. Douglas—J. B. Underwood to J. J. Crittenden—Letter to General Scott—House of Representatives—Civil War—Resolution offered by Mr. Crittenden—Letter from J. C. Breckenridge to Mrs. Coleman—Mr. Crittenden to his Son George—Letters to his Wife—Sedgwick—Resolutions found among Mr. Crittenden's Papers—Mr. Crittenden to his Daughter, Mrs. Coleman.

(S. S. Nicholas to J. J. Crittenden.)

DEAR SIR,—I have just read the result of Vallandigham's trial. It seems to me that if we do not mean to submit without remonstrance to military despotism in permanency, we ought to do, or rather say, something in protest against this tyranny. If some thirty or forty of our *undoubted elderly* Union men will unite and propose to call a meeting of such Union men of our city as disapprove the condemnation, to remonstrate against its enforcement, and, in order to remove its stain upon our nation, to insist upon the dismissal from our army of Burnside and all the officers of the court concerned in the sentence. If you approve, please telegraph your concurrence. I shall also write to Judge Buckner and M. C. Johnson.

Yours,  
S. S. NICHOLAS.

Answered immediately by telegraph that *no good* would come of the suggestion.

J. J. CRITTENDEN.

(Amos A. Laurence to J. J. Crittenden.)

BOSTON, April 15, 1861.

MY DEAR SIR,—Our Union men here who are volunteering for the defense of the government have a very strong desire to meet in Washington a regiment of Union men from Kentucky. You cannot conceive how great would be the influence of such a movement. Our troops who have just left are not one-half Republicans, and even these are national in their feelings.

Unless something of this sort is done, the war will be purely sectional, and no man can foretell its horrors. The North is

becoming one great army. Every man is for supporting the government at all hazards, and there will be no delay in moving vast masses of fighting-men down toward the border. A half a million can be had within three weeks from this time,—half of them pretty well trained, a quarter very well. Money is offered enough to carry on a long war. The feeling is general that fighting alone can save the government and the country from total ruin.

How sad, then, that the Union men of the border States will not stand up to the principles which they have avowed! Cannot you rally them? Or, if the task is too great, cannot you incite some younger men, who have your spirit, to raise a regiment and come on to Washington? They will be the heroes of the day; and though they can only do their small share to save the capital, they can do infinitely more to save us from a sectional war, and they will be the means of saving Kentucky for the Union.

Respectfully and truly yours,  
AMOS A. LAURENCE.

To the Hon. J. J. CRITTENDEN.

(Amos A. Laurence to J. J. Crittenden.)

NEAR BOSTON, April 22, 1861.

MY DEAR SIR,—I am so anxious to give you a correct idea of the feeling in this part of the country, at this time, in order that it may influence your action, that I cannot avoid writing once more.

This evening a meeting was held in the little town of three thousand people, in which I reside, where the whole of the male population was assembled. It was voted to enroll every male inhabitant over seventeen years old, and to place the whole at once under daily military drill. A military committee of nine efficient men was chosen, and fifteen thousand dollars placed at their disposal by a unanimous vote. The town never has been Republican, and only one of the nine belongs to that party.

After this was done, the "Star-Spangled Banner" was sung by all, and a few short speeches were made.

One of the speakers alluded to your State, and said, "Though she appears to be neutral, she will not long remain so. When the day of trial comes, Kentucky will stand by the flag, and will sustain the government." Whereupon three rousing cheers were given for "old Kentucky," and then three more for "Crittenden."

This is only an index to the present movement through the whole North. You can form no idea of its unanimity, and of the determination to sustain the government at all hazards and

through all reverses. The chairman of the military committee, a strong Breckenridge man until now, called Mr. B. a "traitor." He added, "This war will last many years, and our sons must be educated for it." And another, also a military man of the same party, said, "Our Southern friends have supposed that Yankees loved gold; but they must be taught that we do not believe in any gold that has not the American eagle stamped upon it, and that we will have no other."

An old runaway negro, who is an influential man in one of the black colonies in Canada, showed me some letters to-day which indicate great excitement among those people, and an expectation to be led down "to see their friends." I asked him whether the border State negroes would run away from their masters,—"Yes, sir," said he, "they know more about what is coming than their masters do,—the masters know nothing."

You may take these things for all they are worth. It does seem to me that Kentucky will be saved or ruined just in proportion as she supports or refuses to support the government.

Yours, respectfully and truly,  
Hon. J. J. CRITTENDEN. AMOS A. LAURENCE.

(J. Robertson to J. J. Crittenden.)

RICHMOND, April 28, 1861.

DEAR SIR,—No man could have more earnestly striven than yourself to compound the feuds, whose increasing fury, already advanced to the stage of a murderous conflict, threatens to involve thirty millions of men in the horrors of civil war. However I may have differed with you, looking from a Southern view, as to the sufficiency and acceptability of the terms of adjustment you proposed, I never doubted that you regarded them as just, or, at least, as preferable to the evils otherwise to ensue, and as the best which could possibly be obtained. The event has proved that, moderate as they were, the ruling faction would be content with none but such as would degrade the South. Wellnigh desperate is the condition to which that faction has reduced the country. The fact now stares them in the face that the *Union is dissolved* beyond the hope of restoration, at least, in our day. Yet they are threatening to *preserve* the *Union by force*. They read the riot act to millions of men, nay, to sovereign States, who are to be *coerced* into friendship by their foes at the point of the bayonet. But, waving all recrimination, not insisting on the absurdity of the idea, or the impossibility of reducing the South to an ignominious submission, or the certainty that their subjugation, *if possible*, would defeat the very object their enemies profess to desire (namely, the preservation or restoration of the Union), by con-

verting States into vassal provinces (in that character alone can they remain or enter into it), let us inquire if there are no means by which the anticipated consequence of our family jars (now an accomplished fact), the separation of the States, may be recognized by the ruling faction at Washington, without deliberately repeating the most atrocious crime, and steeping their hands still deeper in the blood of their brethren. A word from the *long-eared god*, who now holds in his hands (as he imagines) the destinies of the country, would be enough. *He* has only to say, "Let there be peace," and there will be peace. But he and the murderous gang whom he consults already cry "Havoc!" and let slip the dogs of war. And yet the star of hope still twinkles in the clouded firmament. Preposterous as is the idea of a peaceful union or reunion, there may still be a peaceful separation; and it is to yourself, sir, who, if allowed to do so, I will still regard, notwithstanding the marked difference of our political sentiments, as a valued friend,—it is mainly to you I look for effecting so glorious a consummation. I do not desire that my name should be connected with an effort which you may, most probably, consider utterly idle, and which, should you think worth trying, would be more apt to succeed without it. Before going further at present, permit me to inquire whether it will be agreeable to you to entertain the thoughts which, after much and anxious reflection, have entered into, and taken firm possession of, my mind.

It is proper to say that my appeal to you is wholly without the sanction or knowledge of any constituted authorities, State or federal. It has been suggested even but to two individuals; in the judgment of one of them you would yourself repose great confidence. I have received decided encouragement to make it.

An immediate answer, if convenient, will greatly oblige me.

With great respect and regard, yours,

JOHN ROBERTSON.

(J. J. Crittenden to his son George Crittenden.)

FRANKFORT, April 30, 1861.

MY DEAR SON,—I wrote to you but a little while ago a very long letter, but the uncertain and revolutionary state of the country renders me anxious about everything that is dear to me, and especially about you and Eugene, who are so far off, and who are so immediately in the course of the storm.

It is not so much on account of any *dangers* to which you may be exposed, as because of embarrassments and responsibilities that may devolve upon you in the new and untried circumstances and scenes in which you may be placed.

Many officers of the army and navy have resigned for the alleged reason that they belong to some one of the seceded States, now calling themselves the "Confederate States," and cannot therefore bear arms against them. This supposes they have *no nation*, *no national flag*, etc. This is assuming a very questionable position at least. But I hope you will never have cause for any such scruple or question in your case.

Kentucky has not seceded, and I believe never will. She loves the Union, and will cling to it as long as possible. And so, I hope, will you. Be true to the government that has trusted in you, and stand fast to your nation's flag,—the stars and stripes,—and do not resign under any circumstances without consultation with me. There have been so many instances of distinguished treachery and dishonor in the army that I would be proud to see you distinguished by exemplary loyalty and devotion to your flag and to your country,—the country that commissioned you. The spirit of disunion and infidelity to the government has spread so far and wide that it may have reached even your distant posts, and infected the minds of some officers. It becomes you to be *vigilant*, very vigilant, and with all your energy and courage, if need be, to resist every attempt at treachery or rebellion against the government. It is my anxiety alone that prompts me to write thus to you.

The state of things in our part of the Union is terrible indeed. Nothing is heard of but war, and the whole country is resounding with the din of preparation and the marchings of troops. God knows what is to be the end! I do not see how the conflict of arms can be prevented. Kentucky is averse to this civil war; and it is now, and I trust it will continue to be, her determination to keep out of the strife, and fighting only in defense of her own borders when they shall be invaded, to occupy the position of a friendly neutral and mediator between the belligerents. All send love to you.

Your father,

Lieut.-Col. GEORGE B. CRITTENDEN.

J. J. CRITTENDEN.

— (T. Ewing to J. J. Crittenden.)

LANCASTER, OHIO, June 25, 1861.

MY DEAR SIR,—I congratulate the nation on your acceptance of a seat in Congress. You will do much good there before your term expires,—but do not hasten. Nothing can be done in the way of compromise during the extra session, and an attempt now would do injury in the future; each belligerent would consider his cause injured by listening, if he did at all listen, to the promptings of peace, each would accuse the other of using it as a means of demoralizing and throwing his adversary off

his guard, and each would re-engage in the contest with more bitterness and ferocity than at first. There can be no truce or compromise till the opposites have met in force and measured strength, and the sooner this occurs the better. I write from what I know to be the state of public feeling here. The conservative men who rallied around you last winter would consider this an unpropitious moment for a like effort on your part.

In haste, yours,

Hon. J. J. CRITTENDEN.

T. EWING.

On Mr. Crittenden's return to Kentucky, he was elected to the National House of Representatives, and left for Washington about the first of July.

(From the *Cleveland Leader*.—Correspondence.)

WELLSVILLE, Wednesday, July 3, 1861.

John J. Crittenden has just passed here on his way to Washington. On being called out, he said: "We are now in the midst of war, and shall probably have a hard brush, but I am confident that our Union will be restored to us, and we shall again be a happy and united people."

(House of Representatives, July 9, 1861. Death of Stephen A. Douglas.)

Mr. Crittenden.—Mr. Speaker, I have but a few words to say. Another of the great men of our country has passed away since the adjournment of Congress,—the honorable Senator Douglas has fallen into the grave. I do not stand, sir, in imagination by the grave of the great senator to utter the language of flattery,—my purpose is not to lavish praises upon his memory. That will belong to the impartial history of his time. When the history of our country shall be written, recorded honors will cluster around his name. The death of Mr. Douglas struck a heavy blow on the American heart, and his memory is embalmed in the hearts of his countrymen. I have witnessed, in the course of my long life, but few occasions when there has been a greater exhibition of public sorrow.

I was well acquainted with Mr. Douglas. We were kept apart by our political differences for a considerable period of the time that we both served in the national councils. But for the last four or five years of Mr. Douglas's life we were associated personally and politically, and I had an opportunity of knowing him well. In all my intercourse with him, of an intimate character, while we agreed in politics and acted together, I found him to be honorable and patriotic, disinterested and noble in his patriotism, and ever ready to sacrifice his personal interests for the good of his country. This I can testify from

my knowledge of his character. Mr. Douglas was a remarkable and extraordinary man. Not favored by fortune in the earlier period of his life, belonging, as I understand, to the humble but worthy class of the mechanic, he raised himself by his own exertions to the high position he occupied. Mr. Douglas's mind expanded with his increasing elevation, and I know of no man now left in this country who is better entitled to the name of statesman than himself. He was honest, generous, and patriotic in all his actions and purposes. He was ambitious, but he sought to attain eminence by public services. There have been times when I thought less favorably of him. But my opportunities of knowing him better enabled me to correct my error in regard to his character, and I speak what I truly believe, when I bear testimony to his great worth. His mind enlarged step by step as he advanced in life, and at a time like this, when surrounded by peril and disaster, his country sustained a severe loss in his death.

I know of no man who might have been more useful in this fearful crisis. There are few men who had so much of the confidence of his countrymen,—but few who combined with it so large a capacity for making that confidence serviceable to his country. His friends must derive a consolation from the fact, that though he died when he had scarcely passed the meridian of life, he died in the *maturity of his fame*. That fame will survive him! May it live long in these halls of Congress to elevate and ennable the patriotism of his successors in the great councils of the republic. Such a death can hardly be regarded as a misfortune to the sufferer.

We cannot fail, on this occasion, to remember the bereaved wife of Mr. Douglas; but her sorrows are sacred, and we dare not intrude upon her our vain words of sympathy. That good God who tempers the wind to the shorn lamb will console and protect the afflicted widow.

It seems appropriate in this connection to give a paragraph from the eulogy pronounced by Mr. Cox, of Ohio, upon Mr. Douglas, after Mr. Crittenden had taken his seat.

Mr. Cox.—Mr. President, who is left to take the place of Stephen A. Douglas? Alas, he has no successor! His eclipse is painfully palpable, since it makes more obscure the path by which our alienated brethren may return. Many Union men, friends of Douglas, in the South heard of his death as the death-knell of their hope. Who can take his place? The great men of 1850, who were his mates in the Senate, are gone, we trust, to that better union above where there are no distracting councils,—all—all gone! All?—no, thank Heaven! Ken-

tucky still spares to us one of kindred patriotism, fashioned in the better mould of an earlier day, the distinguished statesman who has just spoken (Mr. Crittenden), whose praise of Douglas, living, I loved to quote, and whose praise of Douglas, dead, to which we have just listened, *laudari a viro laudato*, is praise indeed. Crittenden still stands here, lifting on high his whitened head, like a Pharos in the sea, to guide our storm-tossed and tattered vessel to its haven of rest. His feet tread closely upon the retreating steps of our statesman of the West. In the order of nature we cannot have him long. Already his hand is outstretched into the other world to grasp the hand of Douglas! While he is spared to us, let us heed his warning; let us learn from his lips the lessons of moderation and loyalty of the elder days, and do our best, and do it nobly and fearlessly, for our beloved republic.

(J. B. Underwood to J. J. Crittenden.)

IRONWOOD, July 13, 1861.

DEAR CRITTENDEN,—Two reasons have delayed my answer to yours of June last: first, my desire to see the President's message before I wrote; and second, a multitude of pressing engagements. I doubt very much the policy of proposing any measures of pacification and reunion to the Confederate States at this time. I am inclined to think that the Southern people would misinterpret the motives which induced it, and take it as an evidence of weakness on the part of the government, *if adopted*. If rejected by Northern votes, then it would be used as a means to create a feeling of hostility in the South towards the North and a greater distrust of the ultimate security of slave property. The *South* having commenced the war, and the *North* having accepted it, and both parties being now in a state of the highest excitement,—nothing thought of but *battles, victories, and defeats*,—men are not in a condition to think calmly or act wisely in adjusting matters. A few hard-fought battles between large divisions, instead of scouting-parties, and *heavy losses* on both sides, will place both parties in a better condition to listen to temperate and sensible suggestions. There is nothing like human suffering to cure the distempers of rage and folly. The tears of widows and orphans are very efficacious in extinguishing the flames of war. Burdensome taxes, and want of money to pay them, will make the people reflect. These things will induce the Southern people to inquire whether there was any sufficient reason to induce them to begin the war or any reason to continue it. These inquiries will be negatively answered in their own minds; and when *that* is done, they will accept any reasonable terms of pacification. At present, their pride,

their hopes of success, and the ardor with which young men flock to their standards, will induce them to reject promptly, if not indignantly, any proposition to reunite them with the Northern States under the old national Constitution. A resolution, declaring in substance that the majority of the people of the *non-slaveholding* States do not intend to carry on the war against the people of the South with a view to abolish slavery in the States where it now exists, and that all imputations to that effect *are false*, would have a soothing and salutary effect, especially if it could be adopted by a Northern vote *exclusively*. If, in connection with the above, another resolution could be adopted, by Northern votes, to the effect that the institution of slavery and its existence depends *entirely* upon the local laws of the States, with which the national Congress has nothing to do, I think much good would result. A third resolution might be added, declaring that while the war would be prosecuted for no purpose of interfering with the institution of slavery, it would be prosecuted with the utmost rigor and with all the powers of the government until *treason* was vanquished and the world convinced that we had a government strong enough to protect itself and all law-abiding citizens in the enjoyment of all their rights under the Constitution. These resolutions, skillfully drawn (and none can do this better than yourself), would, if passed by very decided majorities of Northern votes, be worth more to the cause of Union than a dozen bloody victories. Now suppose you prepare these resolutions, and then ascertain in caucus *or otherwise* whether Northern men will pass them. If so, let a Northern man offer them, or offer them yourself, *declaring* that they will be satisfactory to you and your friends, but you had no right to vote upon them, that you offered them to afford Northern men an opportunity of expressing their sentiments in relation to the principles and motives which would govern them in the prosecution of the war, and that the assurances given in the resolutions would be very grateful to the people of Kentucky. Unless you can *pass* such resolutions, they *ought not to be offered*. After having invited suggestions, you will pardon the liberty I have taken. I have no opposition to the legislature.

J. J. CRITTENDEN.

Truly your friend,

J. B. UNDERWOOD.

(J. J. Crittenden to Lieutenant-General Scott.)

HOUSE OF REPRESENTATIVES, July 14, 1861.

DEAR GENERAL,—My friend and colleague, Hon. James S. Jackson and myself, would, if permitted, visit the lines of your army in Virginia, and especially the encampment of General

McDowell, on to-morrow. Can you send us a permit to do so, *unconditional*, and without requiring of us any pledge, oath, or imprecation upon ourselves, such as I have seen indorsed upon most of permits or passes that have been shown to me? If such an indorsement is deemed indispensable in our case, I shall not complain, but I will not go, though I have not the least intention or expectation of ever being anything else than the best of Union men, and I take it that my friend Jackson is of the same mind.

I am yours,  
Lieut.-Gen. SCOTT, U. S. Army. J. J. CRITTENDEN.

(House of Representatives, July 19th, 1861. Civil War.)

Mr. Crittenden.—I ask the unanimous consent of the House for leave to present the resolutions which I send to the clerk's desk, and to have the privilege of making a few remarks on them before they are pressed to a vote. I desire that they may be considered to-morrow.

*Resolved by the Senate and House of Representatives in the Congress of the United States,* That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States, now in revolt against the constitutional government, and in arms around the capital; that in this national emergency Congress, banishing all feeling of mere passion and resentment, will recollect only its duty to the whole country; that this war is not waged, upon our part, in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution and to preserve the Union, with all the dignity, equality, and rights of the several States unimpaired; that as soon as these objects are accomplished, the war ought to cease.

(July 22d.)

Mr. Crittenden.—Mr. Speaker, I had the honor on a late day of offering a resolution on which I desire a vote of the House. I now offer that resolution, and move the previous question upon it.

Mr. Holman.—Mr. Speaker, by unanimous consent I hope the gentleman from Kentucky will be heard.

Mr. Crittenden.—I rise for the purpose of asking of the House the great favor of their unanimous consent to allow me to make an explanation of that resolution.

Mr. Burnet.—I call for a division of the resolution. I desire a separate vote upon the first clause,—that does not destroy the

residue of the resolution and leaves a substantive proposition. The question was taken, and first clause of resolution agreed to: yeas, 121; nays, 2,—Burnet and Reid.

The question recurred on second part of resolution, and decided in the affirmative: yeas, 117; nays, 2,—Potter and Biddle.

It will be seen by the following letter from Gen. J. C. Breckenridge that he considered these resolutions as forming Mr. Crittenden's crowning title to fame.

(J. C. Breckenridge to Mrs. A. M. Coleman.)

LEXINGTON, KY., April 16, 1869.

MY DEAR MADAM,—I only returned to Lexington a day or two ago, and found your note of the 25th ult. I hope my absence will sufficiently explain the delay in answering it. Nothing could give me greater pleasure than to furnish you letters, speeches, etc. of your illustrious father, to aid you in the preparation of his biography; but I fear that I can give you little assistance in this respect. His speeches are accessible in the public records of the country, save a number delivered before popular assemblies and at the bar, which were not reported, and which no man can now reproduce. It is possible that I may have two or three letters from your father, written to encourage me when I commenced life, and among them I expressly recollect one written just before I removed to the Iowa Territory, in which he predicted, to my delight and astonishment, that he would one day welcome me as a member of Congress from the West. My papers are very much scattered, but as soon as I can collect them, I will make an examination and send you, with pleasure, whatever I may find likely to interest you. I hope you will permit me, my dear madam, to say that, in my opinion, of all your father's titles to fame, the crowning one was his memorable resolution of July, 1861, to which, I have heard, he held fast to the close of his life.

I am, very respectfully and truly, your friend and obedient servant,

JOHN C. BRECKENRIDGE.

Mrs. A. M. COLEMAN, 131 North Charles Street, Baltimore.

(J. J. Crittenden to his son, Colonel George B. Crittenden.)

WASHINGTON, July 19, 1861.

MY DEAR GEORGE,—I have postponed writing to you till I could understand things more perfectly, and inform you confidently. From the vast number, spirit, and efficiency of the Federal troops, from the determination of Congress, and the

still greater supplies of men and money it has authorized, I cannot but think that the army of the Confederate States must be overwhelmed. It appears to me that this result will be speedy and inevitable. Within a few days past the Federal troops, in this vicinity, have been put into active motion, and are marching upon Beauregard at Manassas Junction, and are probably already engaged with Beauregard's troops. Various reports are reaching this city hourly; they are generally unfavorable to Beauregard, and I suppose disaster will finally befall him, though a report has just been brought to the House that the "Federal troops have been badly repulsed in their attack upon Manassas Junction." This may be true, but it can have but little effect upon the general result.

The cause of the secessionists seems to me to be altogether hopeless, and all who join them will effect nothing but a useless sacrifice of themselves.

I will write you again when I have more time, and hope to be at home to see you in about a week.

Your father,

Col. G. B. CRITTENDEN.

J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

WASHINGTON, July 19, 1861.

MY DEAR WIFE,—I have of late received almost daily letters from you, and my heart rejoices in such evidences of your constant affection. I have, however, been so much engaged that I have not been able to reply to those letters as regularly as they came. I have this morning offered a resolution in the House which I regard as of great consequence, and which, I have every reason to believe, will be approved and passed by a large majority.

We shall adjourn some day next week, and in time, I hope, for me to be at home by this day week. The very thought quickens my pulse!

I am writing in the House, and must conclude.

Farewell, my dearest wife.

Mrs. ELIZABETH CRITTENDEN.

J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

CAMP DICK ROBINSON, October, 1861.

DEAR WIFE,—I arrived here the day I left home, and have enjoyed myself very much; I have indeed been treated like a major-general. The most troublesome time I have had is now with this steel pen. There is no news here. I am disappointed in my hopes of active movements. There will be no more here

soon, and I shall be disappointed in not witnessing an active campaign. I shall start for Colonel Garrard's camp to-morrow morning. It is about forty miles distant. I do not expect to stay with him more than a day, and can do nothing then but return home. Mr. Bryant is a most agreeable companion. I am well and cheerful.

Your husband,  
J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

LANCASTER, October 12, 1861.

MY DEAR WIFE,—You see by the date where I am. I quitted the camp yesterday evening, and came this far on my way to Colonel Garrard's camp, on Rock Castle River. It is only about thirty-four miles distant. I am on the point of starting to it, and expect to reach there by night or early in the morning. We shall probably not remain there more than a day or two, and then turn our faces homewards. There is no danger in the way.

Take care of yourself, my dearest, and believe me always your affectionate husband,

J. J. CRITTENDEN.

Mrs. ELIZABETH CRITTENDEN.

A short time before his death, Mr. Crittenden was speaking in the House of Representatives on the subject of the employment of slaves as soldiers by the Romans; he was interrupted by Mr. Sedgwick, of New York, who made some offensive remark about Mr. Crittenden's age, and the propriety of his retiring from public life. I find among Mr. Crittenden's papers a memorandum of the following reply to him. I think all will concur with me in thinking the rebuke administered by Mr. Crittenden *well merited*.

(Crittenden to Sedgwick about Mr. Crittenden's age.)

The member from New York (Mr. Sedgwick) has admonished me of my age; tells me I am lingering too long upon a scene of action for which I am unfit. Perhaps the gentleman means to be very good, and I will take the subject into consideration; but does the gentleman think that it was either polite or becoming in him to utter such a reproach? Let *him* consider that! He is, I am told, a gentleman of ability and education. If he should be continued here in the service of his country, *even* until he is as old as I am, I hope he will in all

that long time find no one so rude as to address such a reproach to him.

The member, I hope, will pardon me for what I have said, and be more of a gentleman hereafter; will never be tempted by the vanity of repeating a little poetry to be misled again into such rudeness. I now forgive and dismiss him.

The gentleman from Pennsylvania (Mr. Stevens), in replying to some remarks of mine a few days past, understood me as meaning to assert that among civilized nations there were *no instances* of their employment of slaves as soldiers in war; and he proceeded to instruct me on the subject by referring to a brief history of the Romans, by Mr. Arnold, showing that the Romans had so employed their slaves in the war with Hannibal.

The gentleman might have spared himself this trouble. I knew that there were such instances; but I also knew that they were treated by Roman historians as a reproach to their countrymen and to the name of Roman. I had myself, but a few days before, when this topic was under discussion, admitted that there were such instances; but they were so few, comparatively, and so insignificant, that they should be regarded as exceptions to the *general rule*. In the remarks I made some days afterwards, I merely stated the *general rule*, and contended against the employment of our negro slaves as soldiers in our present civil war. To repeat the known fact or exception was unnecessary; but upon that omission the member has made this grave display of his historical learning. The honorable gentleman represents and quotes me as saying that "I would not fight for slaves," and pronounces such sentiments as unworthy of me, etc. This is a grave imputation. What was the sentiment which I did in truth express? *This*, and nothing more than this: That I would not carry on a war for the abolition of slavery. The sentiment which this implies is the sentiment which the member denounces as "unworthy of me," etc. I avow the sentiment boldly! To the gentleman and those who agree with him I must leave the task of prosecuting an abolition war against their own race for the liberation of the slaves held by them under all the sanction of constitution and law. I know these gentlemen and myself differ widely on this subject. This war was commenced for the restoration of the Union. The honorable member is now for prosecuting it for the abolition of slavery. Till that is effected, he is determined to carry on the war to the extremity of exile or death to all people of the South; nor is he for limiting the abolition of slavery to the punishment of rebels,—he proposes the universal abolition of slavery in the United States.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

November 11, 1861.

MY DEAR DAUGHTER,—Since I parted with you at Louisville, I have received your very affecting letter. The death of your son Crittenden is a source and cause of grief to us all, and especially to you, his mother. The mother's tears, on such occasions, are holy offerings of the human heart. Nature not only allows but exacts them. The same Providence that causes our afflictions makes even our tears instructive, as well as consolatory. The mother cannot but mourn for the loss of her son, but she should not indulge and cultivate that feeling unto *despair*, nor by willfully dwelling upon it and pursuing it, endeavor to prolong and aggravate it. This can avail nothing to the dead, and it is wrong and injurious to the living. The dead are in the care of God alone; fathers and mothers can serve them no longer. But they can serve and comfort the living, and it is their duty to do so, and to resist the vain grief that would withdraw them from that duty. You, my daughter, are surrounded by interesting children, worthy objects of your care and affection. Will you neglect or forget this in the indulgence of a vain grief? You owe and I know you feel for them all a mother's duties and affections; should you not for their sakes struggle, struggle against your own griefs,—that their young hearts may be consoled and again made happy by the recovered light of your own countenance? Will you, for the *selfish indulgence* of your sorrow, continue to turn upon them looks of sadness and despair, which must darken their morning of life? Think of these things, reflect upon your *duties* rather than upon your sorrows. This will be best for both you and your children. Exert yourself, my dear daughter, to divert your thoughts from your loss to the great responsibilities which rest upon you. I sympathize with you most sincerely, and I would not have you believe for one moment that my natural affection for your son or my sorrow at his death was at all diminished by the party or course to which he had attached himself, and in the service of which he died. I thought it was an *error* on his part, but it did not affect my attachment. From what I have said on this sad subject, you may infer that I would advise you against your intended visit to your son's grave in Florida. The wretched condition of the country is tearing down everybody and everything, and property must become more and more depressed. You ought, therefore, to postpone purchasing as long as you can.

Your father,  
J. J. CRITTENDEN.

Mrs. A. M. COLEMAN.

## CHAPTER XVIII.

1862.

Letter of C. S. Morehead to Mr. Crittenden, written at Fort Warren—Letter from Clifton House—Reply of Mr. Crittenden—Letter to Mrs. Coleman—In the House, Confiscation—Opposition to the Investigating Committee—Extract from National Intelligencer—Letter to George D. Prentice, Esq.

(C. S. Morehead to J. J. Crittenden.)

FORT WARREN, December 15, 1861.

MY DEAR SIR,—I addressed you a letter from Fort Lafayette early in the month of October last, to which I have received no response. If you have ever felt a true and sincere devotion, personally and politically, for another, and had been placed by the strong hand of power in a loathsome prison, you might form some conception of my humiliation at this neglect and apparent indifference, and assuredly, if it were intentional, you would not now be troubled with this. From what I have heard, however, from home, I am led to believe that you never received it, and I should be inexpressibly relieved to know that such was the fact. You doubtless know the circumstances attending my arrest. Dragged out of bed after midnight by the marshal of my own State, with a band of sixteen armed ruffians, with a warrant charging me with giving aid and comfort to the enemy, and directing him on its face to take me before the nearest judge, I was forcibly carried across the Ohio River, in utter disregard of his duty and his official oath, and from thence, either by executive or ministerial decree, stigmatized, without a hearing, as “bearing the mark of public execration.” I had indulged the vain delusion that the law still possessed some sanctity, and that when I became its prisoner, I was surrounded by such a panoply as would protect me completely from anything but its own penalty.

From the day of my transfer from the hand of the law to that of power, I have been confronted with no charge, and I declare solemnly that I am utterly ignorant of the charge against me. It is true, as every one knows, that I have expressed my opinions freely and fearlessly, as I thought a freeman had the right to do. I embarked with zeal in the political contest of August last with the hope of preserving the neutrality of the

State, as I understood it. When the question was decided by the people at that election, I declined at least fifty invitations to make speeches, and never did make a *public* speech after that time. I attended the Frankfort convention with no other object upon earth but to preserve peace, if possible, in my native State. I did make a short speech while there to a caucus of a portion of the members of the legislature, urging them by every consideration of patriotism to do nothing which could in the remotest degree jeopardize the peace of the State. I have heard that I was charged with complicity in the invasion of Kentucky. This is absolutely and unconditionally false. I knew nothing of it, had no suspicion of any such thing, and was as innocent of any such thing as the child unborn. I have the consciousness of having violated no law, and I bid defiance to the whole world to prove to the contrary. It can only be done by piling perjury mountain high. If my opinions were erroneous, which I have not yet seen them to be, God knows I have been sufficiently punished for them. I have read of prison-life in history and in romance, but I declare to you that I remember nothing which can compare with the inhumanity and loathsomeness of Lafayette. I will not enter into any detail here, but if you had to lie upon fourteen pounds of straw, on a cold brick floor, on a bedtick two feet shorter than yourself, with nothing upon earth but one shoddy blanket that left your shirt black in the morning, and to drink water for weeks filled with visible tadpoles, you would hardly consider it quite as luxurious as our Kentucky penitentiary. One poor creature was made a raving maniac, and the lieutenant of the garrison insisted that he was, to use his language, "*possuming*," and put him in double chains. He was afterwards carried to some lunatic asylum. I am glad to be able to say that we have met with nothing but kindness here by all the officers having charge of us. The prison was unprepared for our reception, but we were allowed to procure for ourselves such comforts as we chose, but if ever you should be so unfortunate as to be imprisoned,—which I pray God may never be the case,—you will understand that no comforts or attentions can ever make up for the privation of personal liberty, or remove the feeling of degradation at being in the power and at the mercy of others. I have thought that I held my liberty by deed in fee-simple from God, and I feel that there is just as much right to take my life as to deprive me of my liberty. I fear that there is some degree of personal feeling on the part of the Secretary of State, and I would be glad that you would make your appeal to the President himself. He knows me intimately. The opinions I now entertain I expressed to him personally in clear and decided terms. If I am wrong, I am

honest in entertaining them. I am mistaken in him, if he would not believe me when I say that if released I would take no part in the unhappy troubles which are rapidly bringing to ruin both sections. I cannot take an oath of allegiance. The only reason I need to give to you for this is that my whole estate would thereby be subject to confiscation. This estate, in ordinary times, is worth nearly, if not quite, four hundred thousand dollars. I have but little elsewhere. Those who are most regardless of the obligations of an oath are the readiest to take it. My experience here is that those who have been most violent, and who have actually committed acts of hostility against the government, have uniformly got out. I have made no application to any human being to interpose in my behalf. I apply now to you in order to make some specific propositions:

1. The manly way to treat me would be to release me unconditionally, and to dismiss the marshal from office for the prostitution of its functions.

2. If this cannot be done by the President from his own sense of justice, I then ask a release upon my parol that I will take no part in this war. I could give you the names of more than a dozen who have been thus released. I should be allowed to visit my plantation upon the simple score of humanity to my slaves. It is in a sparsely-settled country, and my parol should be considered as extending there.

3. If neither of these propositions can be allowed, I then ask for a parol to spend the winter in New York. If the object is not to punish me, I suppose that this may be allowed. It costs me ten dollars a week to live here, and I can live at less cost either in New York or in Europe. I may add that I desire to have a surgical operation of a delicate character performed, which cannot be done in prison.

4. If none of these things be allowable, I propose to go to Europe.

If I am, however, to be retained here, I must ask the favor of you to obtain the specific charges against me, and a copy of the order for my arrest, or for my imprisonment, if there were no order for my arrest.

But I cannot allow myself to doubt for one moment that you *can* procure my release upon my proposed parol, if you demand it in the proper way. I am perfectly sure if our positions were reversed that I could and would do it for you. Why talk about restoring the Union, and at the same time trample under foot the personal liberty of the citizen? But I have already made this letter too long. Pardon me for writing it in pencil. We have seven persons in a room fifteen by twenty feet, and it is

difficult at any time to write, but this evening all the pens are employed, and I am compelled to take to the pencil.

With kind regards to Mrs. Crittenden, I remain very truly  
your friend,

C. S. MOREHEAD.

Hon. J. J. CRITTENDEN.

(C. S. Morehead to J. J. Crittenden.)

STATEN ISLAND, NEW YORK, Feb. 23, 1862.

MY DEAR SIR,—I received your letter of the 16th inst., and thank you for it. I rejoice to have it from yourself that I did you injustice in supposing that you were indifferent to my fate. I confess that at one time I felt that such was the case, and made some such intimation to Judge Brown, but to no other human being on earth. I felt that the letter which he wrote, and you signed jointly with him, if delivered, would have placed me in a position of humiliation and degradation. I knew well that nothing could be further from the intention of either of you; but I knew also that your signature to a letter written by another person, even if just such a letter as you would have written yourself, would probably do me more harm than good. I may have been altogether wrong about it, but it produced that feeling on me, and under its influence I wrote I scarcely know what now, but I suppose what you attribute to me. Judge Brown, however, wrote to me, assuring me that my supposition was altogether erroneous, and I immediately addressed a letter to you, which it seems you never received, in which I expressed my deep regret that I had done you that injustice. There were in it bitter denunciations against those who had made me the victim of their lawless oppression, and I suppose on that account it was sent to Washington. They are welcome to it. It was not a hundredth part as strong as the deep and undying feeling that will forever rankle in my heart. Nearly all my wife's letters to me were sent to Washington, and were usually about fifteen days in reaching me. The post-mark of Washington is still on the envelope. About one-half of my own letters have never reached their destination. When I could hear nothing from you, I felt that I was indeed abandoned. As far back as I can remember I was conscious of never having entertained towards you any other feeling than that of affectionate reverence, and I felt, as I do now, that I had never done anything which ought to forfeit the regard of any honest man. When my son Frank wrote to me what you said to him, I began to think that my letter to you must have been purloined and never reached you; and, in thinking about it, I concluded that I ought to write again, which I did, very hurriedly, in pencil. If I had supposed then that you

were indifferent to my fate, I most certainly should never have written this last letter. I do not remember what was in this letter, except my propositions for release; I hope nothing but what was becoming and proper. I have made a long explanation, because I feel anxious that you may appreciate my whole feelings in this matter. I have always been devoted to you, personally and politically, and I think that my whole life has afforded some testimony of the truth of the declaration; and I do not think that I ever had a more painful feeling than at the idea of being given up by you in my hour of severest trial. But all this feeling is removed, and I thank God for it.

Now, sir, will you pardon me for trespassing on your time a little longer, to add a few words as to myself? You know that I have always been a sincere and *devoted* Union man. I can say with an honest heart, that I do not believe that God ever placed a human being on this footstool of his more attached to it than I have always been. The Union as made by the Constitution, with a sacred regard for its guarantees, has been with me an object almost of idolatry. When our unfortunate difficulties commenced, I labored with you, if with less ability, not with less zeal and anxiety, to avert the impending calamity. I entertained a firm and abiding conviction, which time has only strengthened, that war between the sections could only result in a final and irrevocable separation, or in the absolute subjugation of the section to which I belong, and the destruction of every material interest belonging to it. I believe, with Mr. Webster, when he said, "I cannot express the horror I feel at the shedding of blood between any of the States and the government of the United States, because I see in it a total and final disruption of all those ties that bind us together as a great and happy people." He adds, "I am for the Union, not by coercion, not by military power, not by angry controversies, but by the silken cords of mutual, fraternal, patriotic affection." Upon my honor, I felt that I would willingly, nay cheerfully, lay down my life at any moment to preserve such a Union as that. I thought I saw, and time has confirmed the vision, "black ruin nursing the impatient earthquake," and the giant Frenzy, as Coleridge has it, "waiting to overturn empires with its whirlwind arm." Under this painful feeling, when invited to an interview with Mr. Lincoln, in company with Messrs. Rives and Somers, of Virginia, Doniphan, of Missouri, and Guthrie, of Kentucky, I ventured to express to him my sense of the dreadful impending danger, and entreated and *implored* him to avert it. I said to him that he held the destiny of more than thirty millions of people in his hands; that if he acted the part of a wise statesman, in avoiding a collision, he would

occupy a place in the future history of his country second only to Washington; but, on the other hand, if he adopted a policy which would lead to war, that the history of his administration would be written in blood, and all the waters of the Atlantic and Pacific Oceans could not wash it from his hands; that the true and wise policy was to withdraw the troops from Fort Sumter, and give satisfactory guarantees to the eight remaining slaveholding States, and that the seven seceding States would, not at once, but ultimately, by the mere force of gravitation, come back, and we should have a safer and firmer bond of union than ever. Mr. Rives pressed the same idea, when Mr. Lincoln said he would withdraw the troops if Virginia would stay in the Union. I took occasion to write down the entire conversation soon after it occurred. The impression undoubtedly left upon my mind was, that the new administration would not resort to coercion. This was still further strengthened by the voluntary pledge of honor of Mr. Seward, in the presence of Mr. Taylor, of Washington, and Messrs. Rives and Somers, that there should be no collision. "Nay," said he to me, "if this whole matter is not satisfactorily settled within sixty days after I am seated in the saddle, and hold the reins firmly in my hand, I will give you my head for a football." These were the identical words used, as I put them on paper in less than two hours after they were uttered. When I happened to mention this conversation to a very distinguished Republican, he denounced him in very bitter terms, and told me that only the night before he, Mr. S., had held very different language to a Republican caucus. I believed what this first-named gentleman told me, and meeting Mr. S. at a dinner-party, at Senator Thompson's, of New Jersey, I intimated to him, remotely it is true, that I knew what he had said at that caucus, and used some pretty strong language towards any man, who, in this crisis, would act a double part. This conversation, sir, was the cause of my arrest and imprisonment. He promised, if I am not totally misinformed, a man in Kentucky that he should be appointed brigadier-general if he would have me arrested. I do not know that the proposition was made thus plainly, but this man was given to understand that my arrest would secure his appointment,—thus verifying the remark of Sully, that "reasons of state is a phrase invented by sovereigns, to disguise the gratification of their personal resentment and other passions."

I may well ask, what have I done to subject me to the oppression under which I have so long suffered? I have said that I did not believe that this Union could be cemented by blood. It is the sincere conviction of my heart still. Mr. Seward has said the same thing, in effect, in as many as two speeches, at least,

and in his foreign dispatches he says, "The President willingly accepts the doctrine as true, that the Federal government cannot reduce the seceding States to obedience by *conquest*;" and he adds, "Only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the state." It is true that I also denounced the reckless violation of all the most vital provisions of the Constitution. I thought, as I still think, that this was every freeman's right. All that I ever said I embodied in my several addresses to the people of Kentucky. They are all published, and speak for themselves. I believe that they will stand the test of time and of human scrutiny. Whatever I said was before the last August election. I felt that I was a Kentuckian, was proud of my native State, had received the highest honors at her hands, and never, by word or act, indicated the slightest disposition to disobey her constituted authority. On the contrary, when the people decided in August, I refused to make another public speech in the State, stating that I submitted to the will of the majority. I believed, however, as I still believe, that they decided for neutrality,—such neutrality as was indicated by the resolutions of the legislature. I knew of the secret caucus in Louisville, held for the avowed purpose of dragging Kentucky from her chosen position, and I went to Frankfort to try to prevent it. When I spoke of the consequences of this course, it was said that I was *making threats*, when nothing was ever further from my thoughts. I labored honestly, sincerely, and, as God is my judge, patriotically, to prevent civil war in my native State. There was no man in Kentucky more shocked than I was when I heard that the armies of both sides had been brought into the State. I knew no more about it than you did, or the babe at its mother's breast. But it seems that I went South in the latter part of June, and made a speech there. I went entirely upon private business, as I believe you know, and, while at Macon, there was a convention of cotton planters, and I was invited to attend it. I at first respectfully declined, stating that I happened there altogether on private business. Afterwards a committee of gentlemen waited on me, and were so urgent in their solicitations that I yielded and went. I was received in a manner that demanded some expression on my part. I cannot tell now what I did say; but I *know* that the substance of it was the defense of Kentucky's position. This was before a blow had been struck, except at Sumter, and while Kentucky's position of neutrality was recognized at Washington.

I have thus given you a full and candid history of my opinions and declarations. I have done nothing except to speak boldly the sentiments and opinions honestly entertained by me.

I knew of no law which forbid my doing so. I thought that our government was founded on the establishment of those great and cardinal principles which constitute the difference between a free constitution and a despotic power. I labored under what seems to have been the delusion that it was divided into three separate and distinct departments, with appropriate powers confided to each which could not be exercised by either of the others. I did not know that the doctrine of the fathers on this subject had become obsolete, or could be put off and on like an old garment. I had been unfortunately educated in the belief that when the power that makes the law can construe it to suit his interest, apply it to gratify his vengeance, and execute it according to his own passions, there would be wanting no other features to complete the picture of absolute despotism, and I denounced the exercise of any such power on the part of the officers of a constitutional government. I thought, as I cannot help still thinking, that it was the duty, a high and solemn duty, of every real and true patriot and lover of his country to denounce with earnestness the first act of violation of the Constitution. When its boundaries are once disregarded, we too soon become habituated and familiarized to the guilt, and become careless of the danger of a second offense, until, proceeding from one violation to another, we at length throw off all the restraint it has imposed, and very soon, though the semblance of its form may remain, its vitality will have fled forever. In the worst days of English history a Dr. Cowell wrote a book designed to establish the doctrine that the king was *solutus a legibus*,—not bound by the laws. Parliament compelled James I. to issue a proclamation for the suppression of the book, but he soon after issued another against the license of the tongue, and we learn from the letter of the Bishop of Lincoln to the Duke of Buckingham "that whosoever ventured, in the most legal and constitutional manner, to speak or write in opposition to the royal will, had to do so at the peril of arbitrary imprisonment of *any* duration." We are told that a man was imprisoned under this proclamation in Norwich for saying "that the Prince of Wales was born without a shirt on his back." Though the conduct of James has been pronounced tyrannical and despotic by all historians, yet his laws preceded the offense, and every man who chose might have avoided the penalty of disobedience.

But how is it with the poor devils of us who have been imprisoned at the pleasure of the Secretary of State, not only *without any law*, but in open and flagrant violation of the most sacred guarantees of *the highest law of the land?* He makes a secret law himself, a *higher law* than the Constitution, hid in

the gloomy recesses of his own heart, wholly unknown to those who are to become its victims, by which he determines, according to his own mere caprice, what acts, what words, what thoughts or looks shall deprive a freeman of his liberty. This law may vary with every gust of passion or every cloud of suspicion which shall agitate or darken his mind. In all candor, sir, to me it presents an image of the most fearful and diabolical tyranny. But it is a refinement upon this despotism to offer pardon by a public proclamation to those who have violated no law. I ask no pardon and can receive none. I can admit no such implication of my guilt. I hold my liberty by deed in fee-simple from God Almighty, and in due season I have faith that he will vindicate his own solemn act.

The poor remnant of my life, God willing, shall be dedicated to vengeance; no, not vengeance,—that is the Lord's,—but to a just and righteous retribution. I believe that the day will come, as certainly as that God is just, when retributive justice will triumph. I look for it with more anxious hope than ever the chosen people of God looked for the promised Messiah. My confidence in its advent is my only solace by day and by night. It mingles with the dreams of my wife and children, from whom I am still cruelly separated. History is not without examples of such retribution. In the second century the Emperor Adrian had his own brother-in-law, an old man of ninety years of age, executed on *suspicion* of a conspiracy. When about to be executed, the old man protested his innocence, and uttered a prayer, that Adrian might wish to die and find death impossible. The imprecation was fulfilled. He was soon tortured with the most excruciating disease, and longed and prayed in vain for death. He implored his physicians, the priests, and offered large bribes to his servants to kill him. He actually stabbed himself with a dagger, but it proved not to be fatal, and only added to his torment. Every child he had died, and he was left desolate and alone. Thus lingering, and without the cessation of pain, he is said to have composed that celebrated ode, which Pope has paraphrased, beginning "Vital spark of heavenly flame, quit, oh, quit this mortal frame," etc.

I am, I confess, a different man from what I ever was before. I cannot help it, and hope that God will pardon me for it. I have borne much. Seized like the vilest criminal at the dead hour of night; dragged from my native State in defiance of the great writ of liberty; the forms of law resorted to only for the basest prostitution; official oaths shamelessly violated; thrown into worse than a Neapolitan prison; furnished with fourteen pounds of coarse straw, carefully weighed, put into a tick of the roughest material, four feet seven inches in length, without a

sheet or pillow, with one filthy shoddy blanket, in a room with thirty-six others; with a brick floor, without fire, so damp that your boots would be covered with green each morning; locked up at six o'clock in the evening without any of the usual night-conveniences; with two candles, afterwards reduced to one for the whole number, which had to be extinguished at nine o'clock; without a pitcher, wash-bowl, towel, chair, or table; with a scanty supply of water filled not with wiggle-tails, but myriads of tadpoles,—can you be surprised that I should feel deeply and speak strongly? As you may well suppose, my health has been seriously if not fatally shattered; I suffered the agonies of many deaths from rheumatism, with my legs swollen almost to the size of your body. But this is not the worst by far. My bladder has been seriously affected, and when I wrote to you that I wished to have a surgical operation performed, I was under the impression that I had stone; but on strict examination, I am assured by my medical adviser that such is not the case, but that it is the chronic contraction of certain muscles, the result of forced bodily habits, which time alone can cure. It would take a volume to detail to you all the vile contrivances set on foot to humiliate me and break my spirit. Among other things, a newspaper was sent to me announcing that my wife had become a *maniac*. Oh, God! what a blow that was from an unseen hand! I confess that I was stunned and crushed, and felt that my vilest enemy had achieved a triumph. It was no doubt very wicked, but no Christian ever uttered a more fervent orison to Heaven than I did, that God would relieve me by death if it should prove to be true. For the first time in my life I appreciated the feelings which could induce a man to commit suicide. Colonel Dimmick, who is a *good* man, came to see me, and shed tears like a child, and immediately sent an express to Boston with a dispatch from me. An answer came the next day from my wife, in the following words: "Not the shadow of foundation for the vile slander. Bear your imprisonment as becomes you, and never give up your principles." It was then published in the New York and Boston papers that I was to be selected to be hung if Colonel Corcoran and others were hanged by Jefferson Davis, and the paper containing this was sent to my wife. Poor woman, she has had enough to make her a *maniac*.

You see, sir, what I have had to endure. It is now going on six months since I was torn from my home. My family has been broken up, my children scattered, my household effects necessarily sacrificed, my resources cut off, and I am no better than a common beggar, for I am living on the charity of kind friends. Yet the vengeance of Mr. Seward is not yet satisfied.

I want no appeal made to him, for I assure you that my belief as to his motives is not unfounded. I had thought well of Mr. Lincoln, and I am inclined to believe, if he knew all the circumstances attending my case, that he has magnanimity enough to release me unconditionally, so that I may feel as a free man and go South to attend to my business, which I am willing to say to you shall occupy me to the exclusion of everything else. But I may be mistaken. At all events, I can surrender my parole and go back to prison. I cannot bear the idea of living on the charity of others.

I am now staying with my good friend, Mr. William Fellowes, on Staten Island, and receiving every possible kindness and consideration; but how can I continue to do this? You must see that it is impossible, and painful as it would be I would rather go back than to do it.

Excuse my long letter. From the fullness of the heart the mouth speaketh; and, I may add, the pen writeth. God bless you.

As ever, your friend,  
C. S. MOREHEAD.

P.S.—Please present me most kindly to Mrs. Crittenden. I inclose my photograph for her. My beard was a matter of necessity, as I could not shave while in prison. I have now taken it from the chin. Direct any letters still to Dr. Sayre, No. 795, Broadway, New York.

To the Hon. J. J. CRITTENDEN.

(J. J. Crittenden to Hon. C. S. Morehead.)

January 12, 1862.

Hon. C. S. MOREHEAD.

MY DEAR SIR,—Since soon after your imprisonment I had been co-operating with your family and friends to procure your release. And since the commencement of the present session of Congress, and before the receipt of your letter of the 15th ult., I had an interview with Mr. Seward on the same subject. Upon the receipt of that letter, I waited on the President, and then again on Mr. Seward, to ask for the consideration of your case, and for your liberation.

I thought there was a disposition to grant it; but Mr. Seward wanted a little more time, and I could but acquiesce in the delay. And on the day afterwards, to insure as far as I could that the case should not be neglected, I addressed him a letter, restating it and urging it upon his attention, and for a speedy decision, with a request that he would give me the earliest information of the conclusion to which he might come on the

case. And expecting such an answer to my letter in a very short time, I delayed replying to you till it should be received, in the expectation that I should then have the pleasure of informing you that you were again a free man. No letter coming from Mr. Seward, I waited from day to day until two days ago, when I was casually informed that you had been discharged from imprisonment. I felt quite aggrieved that all this had been done without any notice of it having been given to me by Mr. Seward, so that I might have replied to your letter without any unnecessary delay. On yesterday I received from him a note of apology for the omission. Such has been the course of circumstances, and will account, at least, for my delay in answering your letter of the 15th ult.,—the only letter I have received from you since your arrest at Louisville. If you wrote any other letter to me, it was never received.

Congratulating you on your restoration to liberty, I remain

Your friend,

J. J. CRITTENDEN.

(J. J. Crittenden to Mrs. A. M. Coleman.)

WASHINGTON, March 14, 1862.

MY DEAR DAUGHTER,—I did not receive the telegraphic dispatch at Cincinnati, though I inquired for one. I have not heard one word from home, except the sad intelligence brought to me by your letter from Danville. When I left home, Cornelia was better. I cannot yet realize that one so good, so pure, so useful, and so dear and beneficial to us all, and to all around her, is so suddenly to be taken from us. Your letter has given me a terrible shock. You say she was slightly better when you wrote; my heart seizes upon that little hope, and trusts that God will spare to us a little longer one so good, so dear. You promised to write again the next day. I hope you have not failed to do so. You would not if you knew how dreadful is my state of suspense. If you have kept your promise, I shall get your letter to-night.

Your father,

Mrs. A. M. COLEMAN.

J. J. CRITTENDEN.

With regard to the confiscation bill, Mr. Crittenden opposed it warmly. He said the Constitution defined treason, and provided for its punishment; that it declared Congress should have power to declare the punishment of treason, but that no attainder of treason shall work corruption of blood or forfeiture except during the life of the offender. After the battle of Ball's Bluff there was a proposition made to appoint a committee of

the House to investigate the causes of that disaster to the Federal arms. It was said that there had been great blunders, or want of skill, or treachery on the part of the men who conducted it. Mr. Crittenden declared that the appointment of such a committee was extending their jurisdiction beyond their constitutional limit, and condemned the proposed measure also as a matter of policy. He believed that in General McClellan we had a brave commander, who enjoyed the confidence of the whole country. It would not do to lead the country to suppose he had failed to do his duty, or disposed to screen those who had not done their duty. Mr. Crittenden implored his colleagues to be patient, and have confidence in their military officers, and not to create suspicions.

After the appointment of the committee, Mr. Crittenden objected to the powers conferred upon it. He said he wished to get clear of all personalities with its members, as he had personally a respect for them. The committee was now trying its infant fortunes, it was delicate, modest, and forbearing, but all knew the effect the exercise of power had upon those exercising it. What they handled delicately at first they would handle *without delicacy* before they got through. He said he rose principally to say a word in vindication of one he was proud to call his friend, a friend of forty years. The tendency of the whole movement was evidently to bring a charge against General Scott, that he unwisely urged on the battle of Bull Run against the protest of the President of the United States. "I have never known," said he, "a man of more scrupulous truth and integrity than General Scott; in all that constitutes veracity and patriotism, he is a model man. The country is proud of him. His fame is a part of our national glory. He has been a major-general fifty years. I protest against this attack against his character, now that he has retired from active service, after such fidelity to the republic. It is too much to believe that General Scott fought the battle of Bull Run against the protest of the President."

(From the National Intelligencer, Washington, April 24, 1862.)

Mr. Crittenden's speech on the confiscation question was like a shield of silver, thick set with golden stars. He spoke with the spirit of a hero fighting for his country. He regarded the

bill before the House as the most momentous that had yet come up for consideration, and its adoption would be fatal to the republic. He considered it unconstitutional. He was for adhering to the great principle of English law, that no man should be deprived of his property but by due process of law. He thought the measure would have a tendency to make the war fierce and bloody; the people of the country were determined to protect their institutions both from the assaults of the secessionists and the abolitionists. Towards the conclusion of his speech, Mr. Crittenden paid this handsome tribute to the President: "I voted against Mr. Lincoln, and opposed him honestly and sincerely, but Mr. Lincoln has won me to his side. There is a niche in the temple of fame, a niche near to Washington, which should be occupied by the statue of him who shall save his country. Mr. Lincoln has a mighty destiny! It is for him, if he will, to step into that niche; it is for him to be but a President of the people of the United States, and there will be his statue. It is in his power to occupy a place next to Washington,—the founder and preserver side by side!"

(Frankfort Commonwealth, May 19, 1862.)

We hope that all will read Mr. Crittenden's speech. It is like everything emanating from that great and good man, eloquent in language, patriotic in sentiment, convincing in argument, and withal so kind and generous in its tone that even those who differ with him cannot but admire him. Neither his heart nor head have felt the chill of age. He stands forth now, at the advanced age of seventy-five, without a peer in intellect or oratory in that branch of the national Congress where youthful talent and ambition first put forth their claims to distinction. By his example he is teaching men never to desert their posts, never to despair of their country. He has been in the national councils ever since the administration of President Madison,—several times as Attorney-General, and repeatedly re-elected to the Senate, oftener, indeed, than any man who has ever occupied a seat in that body.

Mr. Crittenden has been always conservative, and always disinterested. His occupying a place as a representative was evidence of his willingness to sacrifice his personal ease and comfort when his fellow-citizens required it.

The triumphant vote by which he was elected proves how truly he is loved and trusted in his own native Kentucky.

(J. J. Crittenden to George D. Prentice.)

HOUSE OF REPRESENTATIVES, May 14, 1862.

SIR,—In the *Journal* of the 11th inst., I read this morning with deep mortification the article concerning my son, George B. Crittenden. My son is a rebel!—I defend him not! But what public good can be done by such denunciations as that article contains? Its exaggerations and misstatements make it unjust and ungenerous, and as to his family, it is most cruel. Such a blow from such a source has been felt with peculiar force. It was useless for any purpose of public good, and could inflict wounds upon friends only.

George B. Crittenden, save his act of rebellion, is beloved by all his family, and looked upon as one of the best and noblest of their race. They believe, and cherish the belief, that he was deluded into this rebellion, and that of the thousands who were so deluded not one acted from more honorable motives than he did, however erroneous or unjustifiable their reasoning may have been. With these convictions, his family are more susceptible to the pain inflicted by the article in question. George has done enough to condemn him; he is condemned, and we bow to the sentence; but we cannot comprehend why our friends should mortify us by useless and aggravated repetitions of the cause of our calamity. Such is not the office of friends. I am sure, sir, that neither you, nor the managers of your press, have any unfriendly feeling towards me or my family: I have received too many flattering evidences to the contrary; yet, sir, I have felt it to be my right, and my duty, to address you this friendly remonstrance. I ask that it may be received in the same spirit in which it is written, and I hope long to remain, as I long have been, your friend,

J. J. CRITTENDEN.

G. D. PRENTICE, Esq.

## CHAPTER XIX.

1862-1863.

C. S. Morehead to J. J. Crittenden—John Law to Crittenden—Hon. R. C. Winthrop to Mrs. Coleman, with Account of an interesting Incident at West Point (1861)—C. L. Vallandigham to Crittenden—In the House, the Admission of West Virginia—Opposition to the Employment of Slaves as Soldiers—Conscription Bill.

(C. S. Morehead to J. J. Crittenden.)

CLIFTON HOUSE, NIAGARA, June 18, 1862.

DEAR SIR,—I am a fugitive slave safely landed in Canada. Since my release I have faithfully and most scrupulously avoided saying anything that could be tortured into what was treasonable in tendency, unless the open and bitter denunciation of the atrocious despotism, of which I have been the unhappy victim, be such. One week ago our mutual friend, Judge Nicholas, sent a special messenger to me to leave the State, as otherwise I would certainly be arrested, and made to take an unlawful oath, or remain in prison during the war. As I never intend to take that oath, to avoid the possibility of imprisonment again, I am here. I did not go South in consequence of your suggestion. The probability is that I will go from here to Europe. It is a sad, sad condition to be placed in by a despotism which, I venture to say, has not its equal in the annals of civilization.

As I thus withdraw from the scene of action to avoid the possibility of being connected in any manner with this horrid war, allow me to say that the despotism now inaugurated in Kentucky, in my humble opinion, will not be borne. Judge Fowler and the most of his bar, you may have seen, were arrested while he was holding court in Union County. The judge was required by the military power to make all his jury-men take the oath of allegiance, which he declined to do, and was compelled to adjourn court, and taken prisoner from the bench. All the candidates for office who were not Lincoln-men, in Owen County, were imprisoned before I left home; and I see from the papers that thirty-three men from Owen and Henry have since been arrested. Squads of soldiers are sent in all directions, and men are every day taken up without

the slightest cause. I could give you instances which would quicken every drop of blood in your veins. All this is borne for the present in sullen silence; but rest assured that the time will come when the smothered volcano must have vent. I know nothing, of course, and only judge from my knowledge of our common nature,—some things are beyond human endurance. I have heard men who proclaim themselves unconditionally for the Union in public, curse these things in private with a venom and bitterness that would astonish you. It is right that you should know these things, and I feel that I can speak candidly to you. I do believe that these arrests, if not stopped, will lead to a guerrilla war all over the State. If the President has this power, the governor of Kentucky has it also, for the words of the State Constitution are identically the same as those in the Federal Constitution. What would be said if McGoffin should commence imprisoning without bail or mainprise?

Can you get me a copy of the order by which I was carried to Lafayette? I would like very much to have it. I have nearly completed my book, in which a body of facts will be found which, if I mistake not, will, when published, create a sensation.

I would be glad to hear from you. A letter addressed to me, care of the Clifton House, Suspension Bridge, N. Y., will reach me.

Your friend,  
C. S. MOREHEAD.

Hon. J. J. CRITTENDEN.

(John Law to J. J. Crittenden.)

WASHINGTON, July 2, 1862.

MY DEAR SIR,—I was prevented when in committee of the whole from making the speech I had prepared and intended by circumstances over which I had no control. The bills “confiscating rebel property” and “emancipating slaves” were made a *special order*, and being confined entirely to the subject-matters of those bills, the subject-matter of the two sheets inclosed, in parliamentary language, would not have been “germane” to them.

It would have given me great pleasure to have given to the country my views of your noble and patriotic character in this most unhappy contest,—a fratricidal war,—which I firmly believe the adoption of your resolutions would have prevented. The God of battles can *now* alone determine the result. I have, therefore, no other way of communicating *even to you* my high

regard and esteem but by inclosing to you a portion of what I intended to say had I an opportunity of so doing.

Very sincerely and truly yours,

Hon. JOHN J. CRITTENDEN.

JOHN LAW.

Sir, of all men living on this continent I had rather this day have the character and position of my honorable friend from Kentucky, who sits near me (Mr. Crittenden), than that of any other man, ay, rather than be President of the United States. The colleague of that great and good man, Mr. Clay, the associate in the other end of the Capitol of Daniel Webster, Silas Wright, Thomas H. Benton, and Stephen A. Douglas,—all gathered to their fathers,—he is the only link in the chain which binds the present to the past. He was even with such statesmen and patriots "*primus inter pares*," a peer among princes, a prince among his peers. He alone is left us, and the evidence of his loyalty and patriotism, his love of country, his attachment to the Union and the flag which is its emblem, his devotion to the Constitution and the laws, have been manifested on every occasion; and yet, I regret to say, there are men, even in this House, who pretend to doubt even his loyalty.

Sir, envy may carp at him, faction may hawk at him, party may ostracize him,

“But more true joy Marcellus exiled feels  
Than Cæsar with a senate at his heels.”

“In the course of human events” he soon may leave us. The grave will open for him as for us; but the inscription on his tombstone will survive for future generations to look on and admire.

His epitaph will be—

“Beneath this stone, resting from his labors, lies one, who, if his counsel had been followed, the Constitution would have been maintained and the Union preserved.”

(Robert C. Winthrop to Mrs. A. M. Coleman.)

BOSTON, December 26, 1870.

MY DEAR MRS. COLEMAN,—I have not forgotten my promise to give you some account of what happened at West Point when I had the good fortune to meet your excellent father there, during one of the early years of our late civil war. I had enjoyed his friendship, and not a little of his confidence, as you well know, while I was in Congress with him many years before; and I had always admired the generous and noble qualities of his mind and heart. But the occasion to which I refer was one which left the deepest impression on my memory, and I am, perhaps, the only one left to tell the story.

It was on the 8th day of August, 1862. I had stopped at West Point, on my way from Niagara, to pay a little visit to General Scott; and while I was with him, at Cozzens's Hotel, Mr. Crittenden came in. He told me at once that he had come there for a special purpose, in which he was deeply interested, and that he wished me to accompany him to the camp of the cadets, and be a witness to whatever might occur. Not long afterwards we went to the camp together; and after a brief preliminary interview with the commanding officer (Colonel Bowman, if I remember rightly), Mr. Crittenden explained to him and to myself his precise view in coming. He said that the cadets from many of the Southern States had exhibited a disposition to leave the academy, with the purpose of taking sides with their own States in the contest which was then in progress. Some of them, as I understood, had gone already; and he was in great concern lest the Kentucky cadets should be induced to follow their example. He thought that his personal influence might possibly do something to arrest such a design, should it exist in any quarter; and, after consulting with General Scott, he asked leave of the commanding officer to have an interview with each one of the Kentucky cadets in succession.

The leave was readily granted; and they were accordingly sent for in turn. To each one of them, as he came up, he made an informal but most earnest appeal. He seemed to know the personal history and family connections of them all. More than one of them, I believe, had received their appointments on his own recommendation. One of them had already distinguished himself, though a mere boy, by brave services as a volunteer, and his appointment had been made in recognition of his youthful gallantry.

I shall not soon forget how your father's eye kindled, and his voice trembled with emotion, as he spoke to them of the Union cause, and of his ardent desire that Kentucky should be true to the Union flag. He spoke, as he always spoke best, from the inspiration of the moment, and out of the fullness of his noble and patriotic heart. No one of those cadets can have failed to remember that most impressive scene. There was nothing of ostentation or formality about it. He told me he had come to West Point without previous consultation with anybody, and he evidently did not wish to have his intervention spoken of at the time. I think that he did not even enter his name on the books of the hotel, and left West Point as soon as he had accomplished the object for which he had come. He was unwilling to have it supposed that he had any distrust of the cadets of his own State, and assured me that he felt none. But he said he should sleep more easily after he had done what he could to make his

young friends feel that his whole heart was concerned in their loyalty to the government. I have never seen a man more in earnest than he was on that day, and he seemed to excite an electric sympathy in all whom he addressed, and in all by whom he was surrounded. For myself, I have rarely been more moved; and I could not resist the impulse, at a recruiting-meeting on Boston Common, not many weeks after my return home, even at the risk of his displeasure, to make the following brief allusion to what I had witnessed:

"At West Point, too, I met the generous and true-hearted Crittenden. I accompanied him to the camp of the cadets, and saw the emotion with which he grasped the hands of the young Kentuckians who clustered around him. One of them was a son of that noble preacher and patriot, Robert J. Breckenridge, of Danville; and another, whose name I am ashamed to have forgotten, but which history will not forget, was a young Kentuckian of only sixteen years of age, who, having been already wounded while serving as a volunteer at the battle of Shiloh, had now come to prepare for future responsibilities by studying the science of war."

I am not aware that any other public allusion to the scene I have thus described has ever before been made; but since the death of my lamented friend, I have felt that it was due to his memory that so significant and characteristic an illustration of his devoted patriotism should not be wanting to the biographical sketch which you are preparing.

Believe me, dear Mrs. Coleman, very sincerely yours,

ROBT. C. WINTHROP.

Mrs. A. M. COLEMAN.

(C. L. Vallandigham to J. J. Crittenden.)

DAYTON, OHIO, September 30, 1862.

Hon. JOHN J. CRITTENDEN.

MY DEAR SIR,—The Democrats and other loyal men of this (the third) congressional district hold a mass-meeting at Lebanon, Warren County, Ohio, on Thursday, October 9th, 1862. It is their unanimous and most earnest wish that you should be present and address the meeting. They are for the Constitution as *it is* and the Union as it was and against abolitionism. We want Kentucky and Ohio to be united forever, and desire to give and receive all aid looking to that great purpose, equally opposed to secession South and abolitionism North and West.

Your presence here would be welcomed with the greatest joy.

Very respectfully,

C. L. VALLANDIGHAM.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

WASHINGTON, November 16, 1862.

MY DEAR DAUGHTER,—Your second letter from Danville was not received till yesterday. Cornelia is better, and you all *“have hopes.”* This, even this, is a great consolation to me, and shall be an assurance till I hear further. You will surely write to me every day while Cornelia’s fate remains at all doubtful. I cannot bear up under the idea of her death. It would be too sudden, too unexpected. I will trust that she will recover. When I left home I heard she was better, and assured myself that she would soon be well,—otherwise I would not have left Kentucky. Tell Cornelia all this; tell her how much I love her,—love her with my whole heart. Though she is pure and good enough for heaven, she is so necessary on earth to be a light and guide to her family that I will not believe it is in the decrees of Providence to take her from us now. In any event, I must *try* to bow to that Providence.

Your mother shares with me in all my grief and love, hopes and fears, about Cornelia. Read this letter to her. Kiss her for me, and say for me “God bless and preserve her.”

Your father,

J. J. CRITTENDEN.

(J. J. Crittenden to his daughter, Mrs. C. C. Young.)

WASHINGTON, December 5, 1862.

MY DEAR CORNELIA,—I cannot tell you what suffering and what joy you have recently been the occasion of to me. For two days you were dead to me. I scarcely desired to receive another letter, so sure was I that it would tell me you were dead. Thank God, you still live, and with every prospect of being restored to good health. I received all the messages you sent to me through Ann Mary’s letters, and the letter written to me at your instance by your son John. These, my dear daughter, are a treasure to me, and are laid up in my heart. My only fear now is that you will be too impatient of confinement. I fear your intended trip to Frankfort may be attempted too soon. Be very careful of yourself. After such dangers as you have escaped, you are more dear to us all. Till we were in danger of losing you, we did not know how much we valued you. Your mother felt for you as I did, grieved for you as I did, and rejoiced with me at your recovery. I shall rejoice when I can receive a letter from you in your own handwriting.

Farewell, and God bless you.

Your father,

To Mrs. CORNELIA C. YOUNG.

J. J. CRITTENDEN.

With regard to the admission of Western Virginia, Mr. Crittenden said that, in looking to the Constitution of his country, he saw there that no State could be divided and another State made out of its territory without its consent. The language was positive and unequivocal. He felt for the people of Western Virginia, and appreciated their valor and patriotism, but he had sworn to support the Constitution and to make it the rule of his action. Virginia never was admitted into the Union. She formed it, was a part of the original creation. Being at heart the friend of Virginia, his judgment and conviction of public duty forbade him to make a new State out of her territory.

On the subject of the Iowa contested election, Mr. Crittenden said that Congress was intended to be the great legislative representative of the people, and should not be mixed up with officers and soldiers, or any one holding office under the authority of the United States.

We *might* have a President who would attempt to exercise an improper influence over him; there *might* be members who would be controlled by him,—at all events, their position might make them liable to suspicion as to their fidelity to the people; but according to the reasoning of Mr. Colfax, of Indiana (whose patriotism always overflowed and inundated him on every occasion) [laughter], we ought not to exclude the brave defenders of our country from seats in this House. He argues it upon the individual merits of the *brave defenders*. According to the gentleman's argument, our places could be supplied any day by a single brigade of troops. A brigade could supply four or five Congresses. But, sir, the gentleman in question is not here; he is in the field performing military duties; but if he were here, the President could command him to go back to Iowa or Arkansas, or where he pleased. A man subject to commands of that sort cannot be a fit representative of the people. The gentleman from Iowa is not in his seat because he is performing other duties in a distant part of the country. My friend from Illinois, Mr. Washburn, cannot see his friend removed from his place, on the supposition that he could possibly *be* subject to any improper influence. He was his near neighbor, and sat by him, and all the relationships of neighborhood would be destroyed by this cruel act of removing from office a man disqualified by the Constitution. It does not accord with the independence of a member of this House to be subject to the orders of the President.

Mr. Crittenden opposed the employment of slaves as soldiers. There was a bill before the House to raise one hundred and fifty thousand to enlist for five years. Mr. Crittenden declared that this measure was unconstitutional and unnecessary; that the white men of the country had shown no want of patriotism or courage, and that there was a million in the field who had become almost without exception voluntary soldiers. He considered the bill as a stigma upon the negro; they were to be employed to fight our battles and to receive *half pay*; the negroes were not necessary to put down the rebellion; this was only an abolition policy. All nations who had held slaves had rejected their services in time of war. Even Catiline had Roman pride enough left to reject, in his extremest peril, the assistance of gladiators and slaves, though they were white and had been born free. Mr. C. thought the measure proposed an insult to the army and a crime against the civilization of the age; an act of hostility to the Union. One gentleman and another had proposed to pass a resolution liberating all the slaves in the Union; but they were laid quietly upon the table. *Then* the President was appealed to, and *how* was it accomplished? In the name of the Constitution and of the country? How came the President by a greater power than Congress? Mr. C. did not hate the South; they had been his fellow-citizens and political brethren; he trusted they would be so again; he was willing to fight them because they were attacking the Constitution; his fidelity to the country was fixed; he was for the Union; he would never do honor to the abolition policy.

Mr. Crittenden spoke on the conscription bill on the 22d of February, 1863. This was the last speech he made in Congress, and will be given here entire as a fitting close to his public life:

Mr. Crittenden.—Mr. Speaker, I rise to address the House under circumstances of greater embarrassment, perhaps, than ever before since I have been a member of this body.

We are nearly at the end of our session; many of us nearly at the close of our public life. During the time I have been a member of this body I have endeavored, conscientiously, to do whatever I could for the suppression of this rebellion. I shall, however, make no boast of my patriotism. Our acts will speak

for us. They go before the country, and the people will decide; I am satisfied to abide their judgment. This measure, it seems to me, is but the natural result of the course of policy which this Congress has pursued from the commencement, or very near the commencement, of the war.

When the war broke out, it was a national war, with one single object, and upon that one purpose and object all hearts were united,—the re-establishment of this great republic,—our republic! There was no division; and in order to satisfy the country more effectually of the fact of our unity, but little more than eighteen months ago a resolution offered by me was passed, almost unanimously, declaring that this was our sole object. We pledged ourselves that no interference should be made in any institutions of the States,—having especial reference to the institution of slavery. How different, Mr. Speaker, would be the condition of this country to-day had the pledges then solemnly made by this Congress been adhered to! There was but one sentiment pervading the whole people of the country. Men flocked to your standard by hundreds of thousands, filling the ranks of such an army as the world never saw. No coercion was then talked of! What has produced the change that now presents itself? *What* has united the South in one solid phalanx? What has crushed and destroyed to a great extent, if not wholly, the confidence and enthusiasm that swelled in the great heart of the people of this nation? Our departure from our faith,—departing from that object which we declared to be the only just and patriotic one. Have you not departed from the policy of that faith? Have you not, in a manner considered perfidious, violated the pledges which you gave the country more than eighteen months ago? Was any discontent expressed at that time? I heard of none. The hearts of the loyal people, North and South, were fired with a common purpose to preserve the integrity of the Union and its honor. Every man felt himself under every honorable obligation to step forward, abandon his private affairs and look after the welfare of his country. That was the individual, all-pervading, patriotic sentiment of the whole people. No murmur of discontent was heard, and the same confidence and patriotic feeling was as strong among the Union men of the border States as it was in the North and West. Everywhere the same spirit! We were all willing to suffer to the last extremity to preserve the government. Now, what has produced this wondrous change? Do we not know? It has been our infidelity to the pledges made to the people. It is because of the reckless course of the dominant power; because of the impolicy of which Congress has been guilty. Is it not time for us to learn that the course we

have pursued, and are pursuing, has produced a state of division and dissension even in the remaining States? Yes, sir, our policy has been the fruitful source of these discords. The departure from our avowed policy of not attacking the institution of slavery, of fighting only for the government, the Union, and the Constitution. What have we seen this session? We have passed bills changing the rules and articles of war in order that slavery might be encroached upon. We deprived the loyal people of the South of all protection by the army for their property. You have passed a law taking the slaves from any of the citizens of the country. You have passed a law for organizing an army of three hundred thousand negroes. This, you know, is against the deep-rooted prejudices of at least one-half of our people. Eighteen months ago such a bill would have been rejected with one common voice. Even an allusion to such a purpose created profound indignation. You have done this, and more. You have passed laws which, in the opinion of the people, violate the Constitution. You have scorned the friends of the government. You have, by these measures, turned away from us the hearts of the people. We have sown deep the seeds of future disasters to this government. I implore the House to pause before it sanctions any other measures of this kind.

Mr. Speaker, can we carry on the war more successfully by transcending the Constitution than by obeying it? I have always said that the Constitution was our bulwark, our best defense; that our strongest hope was to keep within the clearly defined powers of that instrument. But what have we done? We have assumed powers not delegated by the Constitution; we have acted according to the sentiment which prevailed with us at the moment; we have been controlled by the petty spirit of party, rather than by patriotism and a determination to obey the Constitution and the laws.

You have lost the heart of the people, and lost it by the dogmas you have inaugurated and established rather than follow the Constitution. The gentleman from Pennsylvania (Mr. Stevens) said the other day that we have every man in the field now that can be gotten there voluntarily. Why is this? Because the intention of abolishing slavery throughout the United States is clearly proclaimed. You have done this while you have had an accidental majority here. This has changed the hearts of the people. This is the only time when the abolitionists ever had a majority in this House. What have they done with this accidental power? They have declared emancipation by law, declared a law for the raising of negro armies, declared emancipation and confiscation. The people have not

the same enthusiasm in the war they felt in the beginning,—then they put a million of men in the field. The country is still in peril,—in more peril than at that time. Why is not an army of two millions of men now in the field? Because you have established the dogmas of abolitionists,—this has led to loss of confidence. It is not for the country, it is not for the white man, but for the negro, that this war is now waged. I cannot give my voice for war for such a purpose. You say this bill is framed on the idea that the people will no longer volunteer, will not stand a draft, and we are obliged by law to coerce them: this is our condition, and the logical result of what we have previously done is this bill; we have ourselves created a necessity for it. The people are no longer with us; and we must force them, by penal laws, by new jurisdictions, provost-marshals scattered through the land, and a new sort of military judicature, to which they have not been accustomed. Knowing that you have now an unwilling people to deal with, you make that law as coercive as possible, and accompany it with every sort of inquisitorial and compulsory power, judicial and executive, in order to insure obedience. Is not that our condition, fairly considered?

There is but one sort of consistency which deserves the respect of honest men, and that is to let your acts correspond with your convictions at the time when you are called upon to vote. It is not alone what we did yesterday that we are to consider. We have lived through a time of trial and perplexity. Have we learned nothing? Our lessons have been severe, and we ought to be instructed by the fear of more dangerous lessons hereafter. The life of the country is attacked; that life is in your hands; its preservation depends, in a great measure, upon your wisdom, your solemn deliberations and considerations of the great questions now before us. If we wish to restore the Union we must change our policy. This bill will not answer the purpose; the people have lost confidence in us, and they will not bear more exactions and burdens. No, sir, you are mistaken in your remedy. For the distrust which now exists you must substitute *faith*, that your object is a rational one,—not the abolition of slavery, but the salvation of the country. Get back the hearts of the people and their confidence, and you do not want this bill.

You say a draft will not be submitted to. I know nothing about that, but will this more exacting provision be submitted to? In a country like ours, laws which do not carry along with them the assent of the people are but blank paper. Have you not cause to fear that this bill will do you no good? You are altogether mistaking the disease. It is the abolition element

here which destroys everything,—that has clouded the great ideas of nationality, the pride of the American heart. We must administer measures which will reclaim it and heal discontent. And yet, in perhaps the last moments of our existence, you are endeavoring to consummate a policy which the people have condemned. The remedy—the sole remedy—is by reversion, by retracing our steps, and making this again a national war. Then you will not want this bill; you will not require a draft; you will have volunteers enough. Political abolitionists thought the time had come for them to introduce the sword and the spear into the public arena, and to make use of this war to carry out purposes they have long cherished,—the abolition of slavery.

These, Mr. Speaker, are my views of the discouragements which now exist in the country, and my views of the remedy, the only remedy which will prove efficacious. This bill would have done well enough at the time the resolution I offered here passed. It would have passed, not with all the provisions which now accompany it, but the principle would have been adopted, and the whole power of the nation would have been placed in the hands of the government to be used, if necessary, for the defense of the country.

But the disease assumed another shape. The political body has become poisonously infected and the minds of the people filled with distrust of us and of our measures. We must be no longer Democrats, no longer Abolitionists, but, if we would save our country and ourselves, we must be merely *patriots*; we must not falter about undoing the evil we have already done when we discover that its effect is different from what we anticipated. Have not the people the right to believe that this war is now being used for the overthrow of slavery? In all candor, is not this *now* the object of the war?

There is a little *tweedledum and tweedledee* about this matter. One says, "The war is not to overthrow slavery; it is to save the Union;" another says, "If you do not destroy slavery, the Union is worth nothing." The argument here is exactly the argument of the Jesuits,—fix your minds and attention firmly upon one object which you think a lawful one, and then all the means are lawful. The object is the abolition of slavery; but *that* is not lawful. "No," says one, "but the salvation of the Union is constitutional! Direct your attention to that, and you may abolish slavery." This is the doctrine which makes the *end* justify the *means*. One says that abolition is his object, and that he goes for it *because* abolition is necessary for the salvation of the Union. Have we found this so? Has it conducted in any way to save the Union? Will your three hun-

dred thousand black men tend to save the Union? Are they soldiers? We know better; they are not soldiers, and during this war you cannot make them so. I put out of sight the question as to their capacity as a military people, or what they may become by a course of education; but you cannot, in two or three, or even ten, years make efficient soldiers of them. Again, will your white soldiers serve with them? You do not even know what to do with the runaway negroes which infest you and are calling upon you for the bread which they left behind when they fled from their homes and families. You can have some color for feeding them or setting them free; but when you hold out the idea that you mean to make soldiers of them, it is but a delusion, a pretense for abolitionism, a means for placing negroes on an equality with your white soldiers. It will either raise to an equality with white soldiers those whom they regard as an inferior race, or else it will level them down to an equality with negroes. I do not know that I differ with my friend from Massachusetts, Mr. Thomas, as to the principle that this government has a right to the employment of all the force it can command in this hour of exigency and peril. I will not say that this bill, so far as it regards the enrollment of the men liable to military duty, and subjecting them to be called out for military service, does not come within the power of Congress. I will not contest that question with him here, at all events, now. But I do not think that the Constitution intended that Congress should have power to enlist negroes. They were regarded as *property*, and it was not intended that a man's property should be taken from him. The gentleman says "that they may be employed, *if* it is necessary to save the republic." He postpones the employment of negro soldiers to the last. I differ with him in this. I believe that that time not only has not come, but that it never can come. It never can (so long as we remain of the proud, free race to which we belong) be expedient to raise an army of negroes in this country. Instead of being a source of power, negroes in your army would be a source of weakness, and their presence would drive men from the field a thousand times more capable of defending the country than they can be made. A negro army unnerves the white man's hand,—the white man's heart.

## CHAPTER XX.

1863.

Edwin M. Stanton to John J. Crittenden—Letter from Henry Gillman—Mr. Crittenden's Personal Appearance and Manner of Public Speaking—A Will found among his Papers—Mr. Crittenden's Death—Resolutions found among Mr. Crittenden's Papers—Notices of his Death—Funeral Honors—Speech of Hon. R. C. Winthrop to the Massachusetts Historical Society—Remarks of Hon. J. F. Bell in Kentucky House of Representatives—Monument erected by the State of Kentucky.

(Edwin M. Stanton to J. J. Crittenden.)

WASHINGTON, May 7, 1863.

DEAR SIR,—The President and general-in-chief have just returned from the Army of the Potomac. The principal operation of General Hooker failed, but there has been no serious disaster to the organization and efficiency of the army. It is now occupying its former position on the Rappahannock, having crossed the river without any serious loss in the movement. Not more than *one-third* of General Hooker's army were engaged. General Stoneman's operations have been a brilliant success; a part of his force advanced to within two miles of Richmond, and the enemy's communications have been cut in every direction.

The Army of the Potomac will speedily resume offensive operations.

EDWIN M. STANTON.

(Henry Gillman to J. J. Crittenden.)

DETROIT, MICHIGAN, March 21, 1863.

DEAR SIR,—I have read your noble speech. Such words make you the friend of every *true* patriot, and every *true* patriot your friend. (Alas! these degenerate days have made it necessary to use an adjective in conjunction with this once sacred name.) Your powerful language, unincumbered with the glitter of ornament, magnificent in its very simplicity, has cut clear to the core of the subject,—to the sundering of the very bones and marrow. Every lover of his country thanks you from his soul, speaking your name with reverence. While such a voice is heard in our Congress, may we not still cherish the hope that the good God has not utterly forsaken us, and given us over to

a reprobate mind ; that the counsel of reason will yet be listened to, even in this late day ?

You but too truly say that Congress has mistaken the disease altogether ; that the disease of the public heart is loss of confidence in its representatives. How deeply I feel " it is the abolition element which has destroyed everything ; that has clouded the great ideas of nationality,—the pride of the American heart !" When will they accept the remedy ? Have they not long enough acted the part of the deaf adder, which heareth not the voice of the charmer, charm he never so wisely ? Will a free people submit forever to systematized iniquities which are sapping their very life-blood ? God give us patience and courage in these evil times ; patience that we may do nothing rashly, and courage lest the hands which have stricken the fetters from the negro fasten upon our wrists. With the blessing of Providence we must leave the heritage of this goodly land unimpaired to our children's children and long generations after.

In the far future, when the history of this great struggle shall be written, your name, sir, shall stand foremost among those of that brave, unselfish little band who forgot their own interests in the love of their country and her salvation. Think not that these are the utterances of cant or of adulation : they come from the heart, however feeble in their expression,—and, to one even like you, they may not be altogether purposeless, altogether without a significance and a use.

I should consider it a high favor to know of your receiving this as it is meant.

Believe me, sir, with profound respect and esteem,

Your ardent admirer and well-wisher,

HENRY GILLMAN.

Hon. J. J. CRITTENDEN, Washington, D. C.

It is not possible to give a better idea of Mr. Crittenden's personal appearance than is conveyed by the following extract, from "Our Living Representative Men," by John Savage :

In one of the interesting episodes of the famous Kansas-Le-compton debate, of March, 1858, an allusion in the speech of senator Green, of Missouri, brought to his feet the venerable Senator, who occupied a seat immediately next the bar of the chamber, and nearly on the extreme left of the Vice-President's chair. A man of medium height and rather spare figure, his face is strongly marked, years and thoughtful experience completing the original outlines of nature. There is a warm, healthy flush over his features, as though a strong heart con-

tributed to their sedate enthusiasm, and making a pleasant and picturesque contrast with the white hair that decorates his head. His manner is as marked as his features, disclosing earnestness and pathos, while his matter is presented with a freshness, vigor, and copiousness of language which command attention. But it is when, rising above the sectionalities of debate, he invokes a national inspiration and gives voice to it, that he is peculiarly affecting and effective, evoking from his hearers the tearful solicitude he portrays himself.

On the present occasion he speaks of himself, and his words are consequently especially interesting. The eyes of the senators from all sides are inquiringly turned upon him. The full galleries are expectant, and many a political enthusiast, who slept in the lobbies, is thoroughly awakened by the voice of the "old man eloquent." He said, "The senator from Missouri was surprised at his feelings, and intimated that he had had *bad schooling*." Briefly reviewing the political points made by Senator Green, he said he knew his own defects, but did not like to hear them attributed to the school in which he had been brought up. "If my education is defective, it is on account of some defect in me, and not in the school. The gentleman is a young man and a young senator,—I hope, and wish for him a long life of public usefulness; he may have learned much more than I have ever learned; if so, it only shows the superiority of his capacity, for I am sure he has not been in a better school. Sir, *this* is the school in which I was taught; I took lessons here when this was a great body; indeed, I learned from your Clays, your Websters, your Calhouns, your Prestons, your Bentons, your Wrights, and such men. I am a *poor scholar*, I know, not likely to do much credit to the school in which I was taught. It is of but little consequence to the world whether I have learned well or ill: it will soon be of no importance to the country or any individual." This proud yet modest speech creates an interest in the speaker on the part of the strangers who do not know his person or career. They naturally ask who he is, and a dozen voices, with surprise and gratification, reply, "Crittenden, Crittenden, of Kentucky!" He is the oldest senator in the chamber; it is more than forty years since he first entered it in a representative character; he was a senator before Webster, Calhoun, and Benton; long, many years, before Wright and Preston; he was not the pupil, but the contemporary of those men: he learned *with*, and not, as he modestly says, *from* them.

With the Kansas question Mr. Crittenden's name is inextricably interwoven. He opposed the admission of Kansas under the Topeka Constitution, in 1856; recorded his vote against

the repeal of the territorial laws, and was in favor of Senator Toombs's Kansas bill. It was far from being unobjectionable to him; but he regarded it as a peace measure. In March, 1858, in the famous debate in which he occupied so prominent a position, he opposed the admission of Kansas under the Lecompton Constitution. The scene, on this occasion, as well as the views of the distinguished senator, were among the leading topics of the day, and properly belong to the history of the country. It took place on the 17th of March, and the appearance of the Senate-chamber and the pith of the speech were prominently given in the editorial columns of one of the leading journals. That day's doings are among the chief causes which brought Senator Crittenden's name prominently before the people for the Presidency. The article is given below almost entire.

"The Senate presented the most brilliant spectacle on the occasion of Senator Crittenden's speech on the topic of the day. We have not seen the galleries so crowded this session. We have not seen so many ladies in them, or such a crowd of public men on the floor of the Senate, or so full an attendance of senators. The editorial gallery was jammed, and we honestly believe, with editors and reporters, which is not always the case. In the ladies' gallery Mrs. Crittenden commanded particular attention, even as her gifted husband was the chief object of attraction in the chamber. Indeed, as truthful chroniclers for some future historian of Congress, we may say that the crowd was of the most intellectual, elegant, and attentive character witnessed this session. Senator Crittenden spoke for two hours and a half with great clearness and force. He thought the consideration of the rights of the people to govern themselves was certainly *not* inapplicable in the present issue. The President had, with unusual earnestness, urged the acceptance of the Lecompton Constitution. The senator from Kentucky differed from this view, because he did not believe the Constitution had the sanction of the people of Kansas. Whatever the *prima facie* evidence was, he held that, on examination, it was clear that it was not the voice of the people of Kansas. It was against the overwhelming majority of the people. To the extent of some six thousand votes, it appears to have been sanctioned, but out of these six thousand votes about three thousand were proved to be fictitious and fraudulent. This is verified by the minority reports of the Committee on Territories, and is certified by the authorities appointed by Mr. Calhoun, in Kansas, to inspect the votes. This vote was taken on the 21st of December. Before that vote was taken the legislature, elected in October and convened by acting Governor Stanton, passed an

act postponing the voting on the constitution till January 4th. On that day ten thousand majority was given *against* the constitution, and the legislature passed a resolution, the substance of which was that the constitution was a fraud. How, then, can you say that this constitution is the voice of the people? Unless we shut our eyes to the election on the 4th of January, we see an immense popular vote against it. We have also the solemn act of the legislature. You will accept that which testifies to the minority, and reject *that* which testifies to the majority. Accept the first opinion and reject the last, while it is a rule in law that the last enactment supersedes all others. Why is not the evidence of the 4th of January entitled to our confidence? He believed the President was in great error. He had expressed himself in favor of submitting the constitution to the people, and in his message *regrets* that it was not done. The governor, carrying out the *then* policy of the President, promised that it should be submitted, and the act of the legislature, which the President desires to regard as a nullity, was actually carrying out the expressed will and desire of the President and governor."\*

The following *will* was set aside by a subsequent one made many years afterwards. I give it as evidence of Mr. Crittenden's generosity and simplicity of character. Mrs. Crittenden was a widow with three children at the time of her marriage to Mr. Crittenden.

This is my last will and testament.

My executors or executrixes hereinafter named, or the survivors or survivor of such of them as may qualify and act, are hereby authorized and empowered to sell and convey my real estate or slaves, or any part thereof, to raise a fund for the payment of my debts, if, in their discretion, they shall consider it advisable so to do. I give and bequeath my gold watch and my law-books to my son George. To my daughter, Ann Mary B. Coleman, I give my portrait painted by Jouitt,—I long ago promised it to her.

My two silver goblets, marked each with the letter D (presented to me many years ago by my friend W. P. Duvall, now governor of Florida), I give, as tokens of friendship, the one to Dr. Wilkinson, and the other to my friend John Harvie. By contract with, and my promise to, Colonel Baylor, of whom I purchased the mother of my negro boy Dick, now in the possession of H. Wingate, Esq., I am bound to liberate Dick when

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\* These speeches are given in full in the collection of speeches.

he attains the age of thirty years. Wishing this obligation sacredly observed, I will and declare *Dick* to be a free man as soon as he attains the age of thirty; and I enjoin it upon my representatives to comply with, and do, whatever the law may require for his perfect emancipation.

After the payment of my debts and legacies, I devise the residue of all my estate as follows, to wit: the one-half or equal moiety thereof to my dear and excellent wife, as her own absolute estate and property; and it is so given the better to enable her, by these *poor means*, to maintain, educate, and advance, according to her own maternal care and discretion, *all her* children, and especially our two little sons, John and Eugene. The other half or moiety of the said residue of my estate I devise to Dr. L. Wilkinson, his wife Elizabeth, and my son George, and to the survivors or survivor of them, in *trust* for the use and benefit of my sons George, Thomas, and Robert, and my daughters Cornelia, Eugenia, and Sarah. The said trustees, and the survivors or survivor of them, are to hold, control, and manage the property devised to them, or in any way sell or dispose of the same as they may think best, holding the proceeds of any such sale to the same trust; and are to apply and use the said trust-fund for the maintaining, educating, and advancing my said last-named children; and in so using and applying it are to be governed by their own discretion only, which I know will be faithfully and affectionately exercised, and for the exercise of which I do not wish them, or either of them, to be accountable to any,—my will and intention being to place the property devised to them at their absolute disposal, upon *trust*, to be used, expended, distributed, sold, or otherwise disposed of, according to their discretion, or the discretion of the survivors or survivor of them, for the greatest good, accommodation, and advantage of my said last-named children, and without regard to mere equality of expenditure or advancement to, or upon the one or other of said children.

To my wife I commit the guardianship of our two little sons, John and Eugene. I appoint Mrs. Mary W. Price guardian of my daughter Eugenia; and I appoint Dr. L. Wilkinson, and his wife Elizabeth, and my son George, to be guardians of my children Cornelia, Thomas, Sarah, and Robert. In making this will I have not considered my wife's maid, Anna, as any part of my estate. Whatever title to her, or interest in her, I may have, I give and devise to my wife, exclusive of, and in addition to, what has been hereinbefore devised to her.

I appoint my wife, Dr. L. Wilkinson, and his wife Elizabeth, and my son George, executors and executrixes of this my last will, hereby revoking all other and former wills made by me.

" My daughter Ann Mary will find in her own comparatively affluent circumstances the reason why I have given her nothing but a poor memorial of my affection. Of the little I have to give, I know that neither she nor her husband would wish to withdraw one cent from her more needy and unprovided brothers and sisters. I could have wished to have the services of my son-in-law, Chapman Coleman, as one of my executors and one of the guardians of my children, and have been prevented from placing that burden on him by the consideration only of his constant employment in his own business. I have all confidence in him, and without intending thereby to restrain or qualify the powers given to my executors and the guardians of my children, it is my wish that they should consult and advise with him. I know that he will render all the assistance he can, and that he will be kind to my family. I desire that no bond or security should be required of my executors or of those whom I have appointed trustees or guardians of my children, nor of any one of them. I have full confidence in them, and desire that none of them should be held to security of any kind for the performance of any of the duties of executors, trustees, or guardians hereby imposed upon them.

This last will and testament is wholly written by myself, and with my own proper hand, and requires, therefore, no attestation of subscribing witnesses.

In testimony of all which I have hereunto signed and subscribed my name, with my own proper hand, this 6th day of July, 1833.

J. J. CRITTENDEN.\*

Mr. Crittenden died in Frankfort, 26th of July, 1863. He had been in declining health for six months or more. During his last winter in Congress, he attended regularly to his duties, but appetite and strength were gone. On his return to Kentucky he was induced to become once more a candidate for Congress. He spoke at several places in the district, and during a speech, made in Lexington, he was so exhausted as to be compelled to sit down and finish his speech from his chair. About two weeks before his death, he consented to visit the alum springs, in Indiana, which were said to be efficacious in diseases like his. Arriving in Louisville, on his way to Indiana, Mr. Crittenden became so unwell that he was compelled

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\* At the time of Mr. Crittenden's death, his entire estate was worth about eight thousand dollars.

to give up visiting the springs. He was taken from the hotel to the house of Dr. Bush, a kind friend, where he remained about a week, and then returned home; he died two days after his return. Though very weak and suffering, with no possible hope of restoration to health, his family and friends were not prepared for his sudden death. Mr. Crittenden's sister, Mrs. H. Thornton, of California, sat by his side almost the entire day, Saturday. He talked a great deal during the day: more, Mrs. Thornton said, seemingly to himself than to her; his thoughts turned to the far distant past,—to his old and early friends. He said, "How many families I have known rise to the height of prosperity, and then decline and pass away; and *I have helped them!* I have helped them!" He spoke fondly of his brothers, all of whom had been dead many years, and said, "My brothers were a great loss to me." He talked with great earnestness, with his eyes fixed and flashing, as if in health, and, raising his hand and arm in graceful gesture, he spoke of the state of the country with great emotion; then, with all the eloquence and fire of his early manhood, he exclaimed, "Let all the ends thou aimest at be thy country's, thy God's, and truth's!" He looked and spoke as was his custom in public speaking. When Mrs. Thornton was about to leave his room, she said, "My dear brother, can you not put your trust in your Saviour?" "Ah, Lucy, I have thought a great deal more about that than you or any one knows, and I am satisfied! I am satisfied!" Later in the evening the family were assembled in the room, and with them Mr. Hays, the Presbyterian clergyman of Frankfort. Mr. Crittenden looked up and said, "Mr. Hays, I have been wanting to speak with you." Mr. Hays drew near the bedside; but Mr. Crittenden continued, "Not to-night, Mr. Hays, not to-night; I am too weak; to-morrow." About ten o'clock he dismissed the family, except his two sons, General T. L. Crittenden and Robert, and composed himself as if to sleep, but in a short time said, "Tom, come and raise me up, and arrange my pillow." When this was done, he turned a little on one side, and said, "That's right, Tom," and almost in that moment he died. He never spoke again. His sons saw "the great change;" but before the family could reach the room he was dead. "The chamber where a

good man yields his breath is blessed beyond the common walks of life."

(Resolutions found among Mr. Crittenden's papers.)

The rebellion is vanquished. All its armies have been defeated in decisive battles, and nothing more remains to be done by the arms of the United States for its complete suppression that is not of certain and easy accomplishment. Congress turns its attention with sincere satisfaction from fields of fratricidal slaughter to the nobler task of repairing the disorder and mischiefs of civil war, and restoring confidence, peace, and good will among all the people of the United States; therefore

*Resolved*, That, with the few exceptions of guilty leaders that public justice may demand, Congress does not intend the punishment or humiliation of the misguided people who have been engaged in the rebellion.

*Resolved*, That it is the duty of the Federal government, in a paternal spirit, to endeavor by all proper measures of conciliation to heal divisions among our countrymen, and to give once more peace and quiet to the whole country.

*Resolved*, That the States of this Union, notwithstanding all the acts of secession or rebellion, retain their relations to the Constitution and laws of the United States, and are entitled to resume their constitutional position in the Union, whenever they can be sufficiently relieved from the power of the rebellion to do so. It is their duty to do so, and they are required by the Constitution, and entitled by Congress, to do so, with as little delay as possible, and are entitled to resume that position with all the rights and powers they ever possessed under the Constitution.

## NOTICES OF MR. CRITTENDEN'S DEATH.

(From Forney's Press.)

TO JOHN J. CRITTENDEN, OF KENTUCKY.

Type of a better age ! on whom descends  
The mantle which the sage of Ashland wore,  
Whose patriot soul unshrinkingly defends  
The cause his clarion voice maintained of yore ;  
True to thy country in her hour of need,  
Thou, brave old man ! when thousands fall away  
\* \* \* \* \* \* \*  
Midst the foul feud that o'er the South has swept,  
Thy faith, thy zeal, thy loyalty hast kept ;  
And shalt live honored in all coming time,  
So long as virtue's loved or hated crime !

PHILADELPHIA, 1863.

This little poem refers to a speech of Mr. Crittenden to his constituents, from which we make the following extract:

“ When usurpations of power are made dangerous, and when encroachments upon my liberties and the liberties of my constituents, and upon the Constitution, intended to guard the liberties of all, are made, I would have every man possess spirit enough to declare his opinions and offer his protests. Without this freedom of speech there can be no lasting liberty. The republic cannot exist. A people who cannot discuss public measures of the nation, and apply the necessary rebuke to secure correction of wrong, cannot be a free people and do not deserve to be.”

We have received from Frankfort the painful intelligence that Mr. Crittenden is dead. He died yesterday morning at three o'clock. This intelligence will thrill the heart of the nation with peculiar grief; it will add a fresh shadow to the gloom that overhangs our stricken land,—and, alas ! it well may.

The death of Mr. Crittenden at any time would have been a national bereavement; his death at this time is a national calamity. It is scarcely hyperbole to say, that Mr. Crittenden was the good angel of our country. A man of the loftiest integrity; a patriot of unsurpassed fidelity and of unequaled

magnanimity; a statesman of the most extended and varied experience, and of unfailing sagacity; an orator, whose golden eloquence was the thrice-refined spirit of a just and honorable conciliation, and the sole survivor, in active life, of the *master-spirits* of the last generation of statesmen, whose intellects and character reflected upon us the glory of the statesmen of the Revolution, as the mountain-tops reflect the splendors of the dying day. Mr. Crittenden, above all other men in the land,—far above all other men,—embodied the spirit and the principle to which, under Providence, every enlightened American looks for the salvation of this republic,—he, more fully than any other man who survives him, impersonated the true genius of American patriotism in this mighty struggle for the preservation of American nationality. Mr. Crittenden was the glass wherein true patriots did dress themselves. But he is no more! The good angel of our country has passed away! The mirror of patriotism, and all other noble qualities, lies broken upon the earth. Death, the pitiless destroyer, has shattered it. The true and princely Crittenden is gone; yet, though dead he lives,—

“ Lives in death with glorious fame.”

May his deathless life inspire and guide his countrymen for evermore!

(From the Frankfort Commonwealth.)

Thus has passed from earth the last of the great men of past Revolutionary fame who kept alive, in the presence of the whole world, the great truth that man was capable of self-government. He survived his illustrious compeers,—Clay, Calhoun, and Webster,—and at the time of his death did not leave his equal behind him in this nation, and scarcely in the world itself.

In all that constitutes true greatness he had no superior. Great, without ambition for place or prominence; brave, virtuous, and self-denying from the instincts of his nature, he was the model of a citizen, a patriot, and a gentleman.

The great Kentuckian is dead! Millions of Americans, both North and South, will hear this announcement with the profoundest sorrow; while to his own native Kentucky the news will come with a sadness that will make her feel as if she stood alone in the blast to mourn the loss of her well-beloved son.

(Another Journal.)

The death of John J. Crittenden will be mourned by the people of the nation throughout its expanded limits. It is impossible for

any one left among us to fill the measure of his stature in the councils of the nation. His long public services, his eminent talents, his splendid oratory, and, above all, his enlightened patriotism, gave him an influence for good, at this momentous crisis in the nation's history, surpassed by that of no man now upon the stage of action.

(Meeting of the City Council.)

In response to a call made by Mayor Kays there was a meeting of both Boards of the City Council, in their chamber, last evening. They met in joint session in the lower room, for the purpose of making arrangements to attend the funeral of the late lamented country-loving hero, Hon. John J. Crittenden, which is to take place at Frankfort, on Wednesday next. The Mayor, ex-Mayor, both Boards of the City Council, and ex-members of the same, will attend the services at Frankfort, leaving this city on Wednesday morning at five o'clock, upon a special train.

A resolution was adopted, to the effect that the hall be draped in mourning, and that each member wear the usual badge of mourning for thirty days. The celebrated Louisville Post Band have kindly volunteered their services, and will discourse their sad and plaintive melodies upon this most sacred and solemn occasion. The following preamble and resolutions were read and adopted :

*Whereas*, The sad intelligence of the death of the Hon. John J. Crittenden, on the morning of the 26th instant, at Frankfort, the capital of this State, having reached us, the Mayor and General Council of the city of Louisville express their resignation in the will of God; and although they deplore his loss to his family, yet they fully realize how a nation's tears will bedew his bier, and how they will hang green garlands upon the grand column of his fame, which rises in the world like Pompey's Pillar, at Alexandria, redolent of all that is pure and noble in man, and resplendent in all that finishes the statesman. The Bayard of America is gone ! without fear and without reproach. Yet his great acts, his wisdom and voice, still thunder in our ears for the right.

*Resolved*, That we leave in the cars at half-past five o'clock, on Wednesday morning next, and visit Frankfort, for the purpose of attending the funeral of the Hon. John J. Crittenden, and that ex-members of the General Council, city officers generally, and the citizens be invited to accompany us.

*Resolved*, That we will wear a badge of mourning on the left arm for thirty days, and that the Council-chamber be draped in mourning for the same period.

*Resolved*, That these resolutions be spread upon the minutes of this Council, and that a copy thereof be sent to the family of the deceased.

(Funeral Ceremonies of Hon. John J. Crittenden, at Frankfort, Kentucky.)

EXECUTIVE DEPARTMENT, FRANKFORT, July 27, 1863.

When a great man dies a nation mourns. Such an event has occurred in our midst in the death of the Hon. John J. Crittenden, Kentucky's longest-tried statesman in her public service, a man faithful to every trust; one who has added, by his talents and character, to the fame of the nation, and has pre-eminently advanced the glory and honor of his native Kentucky. It is fit and proper that all testimonials of respect and affection should be paid his remains by all in authority, as well as by private citizens. I therefore earnestly request that all places of business shall be closed on Wednesday next, from the hour of ten o'clock in the morning until five of the afternoon, and hereby direct all the public offices in Frankfort to be closed during that entire day; and I appoint General John W. Finnell, Colonel James H. Garrard, and Colonel Orlando Brown a committee to make all suitable arrangements for the funeral.

J. F. ROBINSON.

By the Governor.

D. C. WICKLIFFE, *Sec'y of State.*

The body will be removed from the late residence of the deceased to the Presbyterian church, where services will be performed, on Wednesday morning, July 29th, at ten o'clock.

The procession will move from the church south on Wilkerson to Wapping Street; east on Wapping to St. Clair; north on St. Clair to Main; east on Main to Cemetery.

#### ORDER OF PROCESSION.

General J. T. Boyle, Chief Marshal, and Staff.

Military escort in command of Colonel Allard, Second Maryland Volunteers.

#### MUSIC.

#### PALL-BEARERS.

James Guthrie,  
Benjamin Gratz,  
J. R. Thornton,  
Tucker Woodson,  
Samuel Nuckols,

{  
MEARSF.

#### PALL-BEARERS.

Gen. Peter Dudley,  
Col. A. H. Rennick,  
Jacob Swigert,  
E. H. Taylor,  
Mason Brown.

Family in carriages.

Assistant Marshal, Colonel H. M. Buckley.  
Governor and Staff.

Officers of the several State Departments.

Judges and Officers of State Courts.

Mayor and Council of the City of Frankfort.

Assistant Marshal, Colonel W. Cooper.

Major-General Burnside and Staff.

Major-General Hartsuff and Staff.

Assistant Marshal, Lieutenant-Colonel Chas. S. Hanson.

Such other Officers of the United States Army as  
may be present.

Assistant Marshal, Major John Mason Brown.

Citizens on foot. Citizens in carriages.

Citizens on horseback.

JAMES H. GARRARD,

ORLANDO BROWN,

JOHN W. FINNELL,

*Committee of Arrangements.*

(Speech of R. C. Winthrop to the Massachusetts Historical Society on the Death  
of Mr. Crittenden.)

At the stated monthly meeting of the Massachusetts Historical Society, Hon. Robert C. Winthrop announced the death of Hon. John Jordan Crittenden, an honorary member of the society.

Mr. Winthrop gave the following appropriate sketch of the public life of Mr. Crittenden, characterizing him as an ever-faithful and firm friend of the Union :

Mr. Crittenden died at Frankfort, Kentucky, the 26th of July last, at the age of seventy-six.

It may not have been forgotten that, at our February meeting, in 1859, the Hon. John J. Crittenden was unanimously chosen an honorary member of this society. He was not elected on account of any peculiar claims which he possessed either as a writer or a student of history. He was known to some of us, however, who had been associated with him elsewhere as being more than commonly familiar with the early, as well as with the later, history of our own land, and as having a strong taste and even an eager relish for the peculiarities and quaintnesses of the early times of New England in particular. But his name was selected for a place on our honorary roll on far different grounds. Mr. Crittenden was recognized as one of the few veteran statesmen, then left in our national councils, whose name had become identified with the honor and welfare of the American Union, and whose character and fame were destined to be among the treasures of our national history. And now, that we are called on to part with that name, not only from our own roll, but from all its associations with earthly dignities and

duties, we feel that we were not mistaken in our estimate of his historical significance.

Mr. Crittenden entered into the service of his country as a volunteer soldier in the war of 1812. His life, for more than half a century past, has been a continued record of public employment and patriotic effort. In the legislature of his native State, and more recently as its governor; as a member of the Senate of the United States, in which he first took his seat forty years ago; as a member of the cabinet under more than one President; and finally, as a representative in Congress, an office which, like our own Adams, he felt it no compromise of his dignity to accept and hold as the closing honor of his life,—he was everywhere distinguished, admired, respected, and beloved. Whatever differences of opinion may from time to time have been entertained as to any particular measures which he proposed or advocated, his patriotism was never doubted, nor his devoted and disinterested fidelity to his conscience and his country ever impeached.

In the sad struggles which have grown out of the present unholy rebellion, he was called on to play a part of no doubtful or secondary importance. Whether the precise measure of adjustment which he proposed, in order to arrest the unnatural blow which was aimed at the American Union, ought to have been, or could have been, adopted, and how far it would have been successful in accomplishing its object, if it had been adopted, are questions on which there will never probably be a perfect unanimity of opinion. But the name of Mr. Crittenden will not the less proudly be associated, in all time to come, with an honest, earnest, and strenuous effort to arrest the dreaded calamities of civil war, and to preserve unbroken the union and the domestic peace of his beloved country.

As the leading statesman of the border States, his course was full of delicacy and difficulty. It is hardly too much to say that, had he failed or faltered in sustaining the cause of the government and of the Union, or had he sustained it on any other grounds or in any other way than he did, the State of Kentucky might have been lost to the cause. Nor can any one doubt that the loyal and noble attitude of that honored Commonwealth, at the present hour, on which the best hopes of the Union may even now hang, is, in a large degree, owing to his powerful influence, his inspiring appeals, and his unwavering patriotism.

This is not the occasion for speaking of the personal qualities which so endeared Mr. Crittenden to his friends, and which made friends for him of all who knew him. Others have possessed faculties more adapted for commanding and enforcing a

compliance with their wishes, their ambition, or their will, but no one of our day and generation, certainly, had more of that magnetic attraction which secured the willing sympathy, confidence, and co-operation of all within its reach. The charm of his manner, the cordiality and generosity of his whole nature, the music of his voice, and the magic power of his eloquence, as well in conversation as in formal discourse, will be among the lasting traditions of the circles in which he moved; and his death will be long felt, not only as a great public loss at such a period of his country's need, but as a personal sorrow to all who have enjoyed the privilege of his friendship.

Extracts from Remarks of Hon. J. F. Bell, December 12th, 1863, in the House of Representatives upon the Presentation of the Preamble and Resolutions of Mr. Bedford, of Franklin County, announcing the Death of the Hon. John J. Crittenden.

Mr. Bell said: Since the adjournment of the last legislature Kentucky has lost her most honored son. The State mourns his death, and the nation joins in condolence, for this their common and irreparable loss. It is becoming that there should be some legislative expression by the representatives of the people of this his native State, here assembled, to make permanent their high appreciation of his many virtues and their sincere sorrow for his death. I need not say I allude to John J. Crittenden. The resolutions offered by Mr. Bedford have already announced his death and contain an appropriate eulogy.

It may not be inappropriate for me to make some general remarks on the character and services of the deceased. Mr. Crittenden was born in Woodford County, in this State, on the 10th of September, 1787, and died in this city on the 26th of July, 1863. He chose the profession of the law, and commenced its practice in the town of Russellville, Kentucky, in 1806, shortly after which he removed to this city, where he continued to reside till his death.

He was on several occasions a member of this House. He was elected to the Senate of the United States for the first time in the winter of 1816; his term of service commenced on the 4th of March, 1817, and terminated by resignation in 1819. This was his first appearance in the national councils. He was subsequently elected to the Senate, and held that distinguished position from 4th of March, 1835, till 4th of March, 1841. He then became a member of General Harrison's cabinet as Attorney-General. After the dismemberment of that cabinet he was again elected, 25th of February, 1842, to fill out an unexpired term of Henry Clay, made vacant by his resignation, and was

re-elected to hold the same office from the 4th of March, 1849. Mr. Crittenden resigned his senatorial position in 1848, and was elected governor of Kentucky. After his election he was tendered a place in President Taylor's cabinet, but deemed it his duty to decline this flattering offer. Upon the accession of Mr. Fillmore to the Presidency, on the death of General Taylor, he was induced to accept the place of Attorney-General, which he held until the expiration of Mr. Fillmore's term of office. He was re-elected to the Senate of the United States in 1855, and remained until the 4th of March, 1861. Upon the expiration of this term he was returned to the House of Representatives, in Congress, for the Ashland district, and was a candidate for re-election, without opposition, at the time of his lamented death. In all the varied capacities and relations in which he was called upon to act, as friend, companion, lawyer, and statesman, he conducted himself with consummate propriety, dignity, and ability. Mr. Crittenden in his social intercourse was affable with all, familiar with but few; was more generous in sentiment than lively in attachment; he was guided by the most honorable principles and an instinctive sense of propriety rarely at fault. In general intercourse he availed himself with great grace of the conventionalities which a well-regulated society uses as a fence-work against intrusive vulgarity. He was uniform in conduct: the haughtiest senator, the humblest citizen alike, were treated by him with respect; he flattered neither, he counted himself superior to neither; he was social in a high degree, and had the happy faculty of making all enjoy the elegant hospitality which he dispensed here and at Washington for more than thirty years. He was witty, but his wit was never winged with malice; he was quick to resent insult, but ready to forgive wrong; he ever sought peace, except at the expense of honor; his high character, his known courage and honor, caused him to be selected as the arbiter to determine many controversies which, but for his interposition, might have terminated in bloody and fatal conclusions.

With such qualities Mr. Crittenden was necessarily eminently personally popular. Free himself from bitterness or personal asperities towards others, he was exempt from such shafts as these qualities usually occasion from personal and political adversaries. Mr. Crittenden possessed common sense, knew *men* and *things* as they are, rarely sought to be prophetic, but confined his judgment to current events, and made it his study to do, day by day, that which appeared to be for the best. Take him for all in all, he possessed rich and rare elements of character. Kentucky may well be proud of him as one who dis-

tinctly impersonated the best qualities of Kentucky character. He possessed generous emotions, flashing eloquence, knightly chivalry, dauntless courage, and undying devotion to his country's best interests, and he has been styled "the Bayard, the knight without fear and without reproach." Mr. Crittenden had the profoundest regard for the profession of the law, of which he was so distinguished an ornament; he regarded the law as the arena of the athletes, who were to strive for the world's honors. Much more: he regarded it as a nursery for heroes, who were to contend, and should always contend, for the freedom of men and for constitutional government. He was especially fitted for the successful practice of the law, having acquired a well-grounded knowledge of its elementary principles, which was enlarged by a more copious reading than is generally supposed; his bearing to court and jury was deferential, to his brothers respectful and dignified; he possessed in his profession that quality which, according to the English vocabulary, is called "cleverness" or skill, the capacity to adapt himself to surrounding circumstances and use with readiness all the arguments suited to his case; his powers of persuasion were of a high order; he had acquired as an orator the great art, as Cicero calls it, of making himself agreeable to the tribunal before which he was to plead, and of identifying himself completely with his cause; he never wrongly quoted the testimony, never misstated his adversary's arguments,—indeed, stated it with such fairness that oftentimes the clumsy advocate was amazed to find that his argument had been more clearly restated by his polished adversary only to have it successfully refuted.

I have seen Mr. Crittenden in the Senate of the United States among those called greatest,—he was the *peer of all*. His best speeches in the Senate were extemporaneous, under the magic influence imparted to his genius by generous emotions, contempt for meanness, hatred for wrong, admiration for loftiness of purpose, and an unyielding spirit to uphold the right. In his political and senatorial debates he was quick of apprehension, clear in statement, eloquent and earnest in argument; always candid, never seeking an advantage at the expense of truth; unambitious, forgetful of himself; and, above all, truly patriotic ever looking to his country's good. Mr. Crittenden has been concerned, and taken an active part, in all the exciting scenes which have transpired since 1816, and his history is intimately connected with the history of the country. It forms a bright and shining filament in the great web which time has woven. With, perhaps, the exception of a single individual, who stands

in Kentucky's and the nation's history in luminous conspicuity single and alone, no one has exercised so large an influence on the destiny of Kentucky as Mr. Crittenden. His influence was always for the public good, for high conservatism. No executive or extravagant episode ever disfigured the majestic current of his grand history. Like one of the fabled rivers, from fountain to terminus, his course was ever strong, yet almost without a ripple.

Mr. Crittenden was born before the adoption of the Federal Constitution. He has seen his country grow from weakness to strength, from poverty to wealth. None watched its progress with more intense interest. He loved his native State with the ardor and devotion with which a son loves his mother.

Surrounding influences in infancy necessarily impart to a child a controlling impulse for good or ill. Mr. Crittenden, in childhood, could almost hear the dying echoes of the thunders of that artillery by which our freedom was won. He could hear the jubilant shouts of a people made glad for freedom secured. He often heard repeated from parental lips the story of the sufferings, and the heroism exhibited by our fathers, in their Revolutionary struggle; he heard from the same revered lips of the personal prowess of the men who came across the mountains with axe and rifle to redeem this beautiful land from the Indian and the wild beast.

Mr. Crittenden had arrived at a great age, and his way of life had fallen into the sere and yellow leaf, yet he had that which should accompany old age, as honor, love, obedience, troops of friends. It would have seemed to human wisdom that, for the public good, Mr. Crittenden should have been spared. With his large experience and great wisdom he could have rendered immense service to the republic in the terrible strife through which we are now passing. Yet, by the judgment of an inscrutable *Providence*, he has been stricken down. All must yield to death, and sink beneath his power. Ages come and ages go, empires rise and fall, generation after generation passeth away, yet the sceptre of the grim king remains unbroken: his power never weakens. Mr. Crittenden has but suffered the common fate of all humanity. He met that fate with heroic and Christian courage. His death was under most fortunate surroundings. He did not die in a strange land among strangers; he did not die from home; nor, as so many are now doing, uncared for, amid the tumult and carnage of the battle, nor of wounds or lingering disease in loathsome hospitals; he died at home, on his own native land; the land on which he was cradled in infancy, matured in manhood, revered

and honored in old age. He died in full possession of his faculties, almost without a struggle, surrounded by his friends, his children, and family, whom he loved so well; and sustained during the trying hour by such ministrations as they alone can furnish, and which contribute so much to make smooth the pathway of earth's pilgrims down to the shadows of the dark valley. The Romans called no man fortunate till his death,—no matter how long his life, no matter how great his services might have been to his country and to his race,—believing, as they did, that some misfortune or misconduct might mar the successful past. With such a life and such a death Mr. Crittenden would have been called by them fortune's favorite. Mr. Crittenden will no longer mingle in our midst, and guide us by his wisdom and prudence during these perilous times. He shall "no more return to his house, neither shall his place know him any more;" he has gone to his long home, and "the mourners go about the streets." The mourners cannot reclaim him, but we can, to some extent, imitate his *virtues* and emulate his example. Let us now, in affectionate remembrance of him, draw the mantle of charity over faults, if such he had, and, so far as we can by the passage of these resolutions, give to his name that historic immortality to which it is entitled for his great services and eminent virtues.

To these resolutions I have added these imperfect remarks as the humble tribute of my sincere regard for the distinguished dead.

The State of Kentucky has erected a monument to Mr. Crittenden in the cemetery at Frankfort, Kentucky. On the face of this monument is a medallion-likeness of Mr. Crittenden, modeled from Hart's celebrated bust. On the upper side is the following inscription :

Erected by the State of Kentucky in honor of her illustrious son,

JOHN J. CRITTENDEN,

Member of the Legislature, Governor, Representative, and Senator in Congress, and Attorney-General of the United States.

For fifty years he devoted himself, with inflexible integrity, consummate wisdom, and patriotic zeal, to the cause and service of his native State, and of his whole country. His great talents made him pre-eminent in the elevated offices he filled, and placed

him among the first of American statesmen. "Let all the ends thou aimest at be thy country's, thy God's, and truths," were among his last words. They were the rule of his life, and are a fitting inscription upon his tomb. The history of the nation will bear witness to his lofty patriotism, and Kentucky will ever cherish the memory of her son.

JOHN J. CRITTENDEN;

born

September 10th, 1787;

died

July 26th, 1863.



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